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INTERNET PARSHA SHEET ON VAYIKRA – 5781

including laws of Erev Pesach that falls out on Shabbos

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Shabbos Erev Pesach: Frequently Asked Questions
Pesach (<https://torah.org/holidays/pesach/>)

By **Rabbi Doniel Neustadt** | Series: Weekly Halacha
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Shabbos Erev Pesach: Frequently Asked Questions • Torah.org
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This year [2001], Erev Pesach falls on Shabbos, a fairly infrequent occurrence. While our lack of familiarity with observing Erev Pesach on Shabbos causes some confusion and concern, still, with the proper planning and know-how, it need not be a difficult Shabbos to keep. Indeed, it actually gives us an opportunity to be well-rested for the seder and to be able to fulfill the mitzvos of Pesach in a more alert and dignified manner. The following are some of the frequently asked questions that deal with the special halachos of this Shabbos:

QUESTION: Why do we burn and sell the chametz on Friday morning when it is actually permitted to eat chametz until Shabbos morning?

DISCUSSION: Although Friday is not really "Erev Pesach," in certain respects we act as if it really is "Erev Pesach." This is done in order to avoid confusion in subsequent years, when Erev Pesach does not fall on Shabbos. Thus any chametz which will not be consumed before Pesach is burned or sold(1) no later than 12:12 p.m.(2). (All times are for Cleveland Heights, Ohio. Consult your local Rav for the appropriate time in your city), the time that would have been the deadline had this day truly been Erev Pesach.(3) But concerning other halachos we do not treat Friday as Erev Pesach. Thus: The paragraphs usually omitted from Shacharis on Erev Pesach are recited on Friday. Kol Chamira, which is a statement that nullifies all of our chametz and is normally recited when the chametz is burned, is not recited this year on Friday. Instead, it is recited on Shabbos morning after the last remnants of

chametz are gone. The special Erev Pesach restrictions that apply to taking a haircut and doing laundry after midday, do not apply on Friday(4). Dishes may be kashered until the onset of Shabbos.

QUESTION: When should the marror and the other seder items be prepared?

DISCUSSION: All seder preparations should be done on Friday, since it is prohibited to prepare anything(5) for the seder on Shabbos. While technically the preparations may be done after Shabbos ends and before the seder begins, this is not a good idea since it unnecessarily delays an already late start for the seder.(6) Thus the horseradish,(7) charoses, shank bone, roasted egg and salt water should all be prepared on Friday.(8) The romaine lettuce should also be washed and checked on Friday. Care must be taken, however, not to leave the lettuce soaking in water, as lettuce that was soaked in water for twenty-four hours can no longer be used for marror.

QUESTION: How do we discard the chametz crumbs on Shabbos?

DISCUSSION: Leftover crumbs on the table, dishes or floor should be swept,(9) gathered together and then flushed down the toilet. Larger pieces of bread may be crumbled(10) and then flushed down. If the Sanitation Department will not pick up the garbage before 12:00, (All times are for Cleveland Heights, Ohio. Consult your local Rav for the appropriate time in your city) do not place chametz in your trash can. The broom which is used to sweep the floor must be cleaned well. If it cannot be cleaned adequately, then it must be put away with the chametz utensils which have been sold to a non-Jew.

QUESTION: Many people use chametz rolls for lechem mishneh on this Shabbos, and then serve the rest of the meal with kosher for Passover foods. Which dishes should be used during those meals?

DISCUSSION: The recommended method is to use disposable (paper or plastic) dishes only as long as any chametz is being eaten. After the chametz is gone, the rest of the meal can be served on Pesach dishes.

QUESTION: In order to rid one's teeth of chametz, is it permitted to brush them on Shabbos, with or without toothpaste?

DISCUSSION: The consensus of contemporary poskim is that it is forbidden to use toothpaste on Shabbos.(11) Their main concern is that applying toothpaste to the teeth or the brush could result in a transgression of the prohibited Shabbos Labor of Memareiaich, Smoothing. Brushing without toothpaste is permitted,(12) provided that the following conditions are met: Use a toothbrush that is designated for Shabbos use only.(13) Some poskim require that the Shabbos toothbrush also look different from the weekday one, e.g., be of a different color or style.(14) Use a soft brush so as not to irritate the gums and cause bleeding. [People with extremely sensitive gums who bleed whenever they brush their teeth may not use a toothbrush at all.] To avoid the prohibition of Sechitah, Squeezing, a dry toothbrush should be used. It is, however, permitted to rinse the mouth with cold water first and then use the toothbrush.(15) The toothbrush should not be rinsed off after it is used unless it is going to be used again on that same Shabbos.(16)

QUESTION: Many people do not want to have any chametz in their home on Shabbos. Instead, they use egg matzah(17) for lechem mishneh at both the Friday night and Shabbos morning meals and recite ha-motzi over the egg matzah. Is this permitted?

DISCUSSION: Yes, it is.(18) In fact, this is the preferred method for homes with little children who may scatter chametz crumbs around the house. This is also recommended for hotels, for large gatherings where Shabbos meals are being served, or for anyone who feels more secure with having no chametz in the house on Shabbos. Although usually the proper blessing over egg matzah is mezonos, when egg matzah is eaten during a full-course meal and substitutes for bread, ha-motzi is recited.(19) One should eat at least a k'zayis(20) (about 1 fl. oz.) of egg matzah for each meal in addition to the

other foods served at the meal. Even those who use egg matzah for lechem mishneh, should take care to finish eating the egg matzah no later than 10:55. a.m.(21) (All times are for Cleveland Heights, Ohio. Consult your local Rav for the appropriate time in your city). The other foods served at the meal can be eaten later.

QUESTION: When is seudah shelishis, the third Shabbos meal, eaten on this Shabbos?

DISCUSSION: Eating the third meal on this Shabbos is difficult to do, since the third meal is supposed to be eaten after midday. At that time, we may no longer eat chametz, matzah or egg matzah. Thus, there is no perfect system for the third meal on this Shabbos.(22) Instead, the poskim offer two alternatives, neither of which is ideal:

1. Divide the morning meal into two parts – i.e., wash, recite ha-motzi, eat a meal(23), recite Birkas ha-Mazon, take a break (15-30 minutes)(24), wash again, recite ha-motzi, eat a meal and recite Birkas ha-Mazon. The chametz or egg matzah(25) which is used for lechem mishneh at the second meal, the seudah shelishis, must be consumed before 10:55 a.m. (All times are for Cleveland Heights, Ohio. Consult your local Rav for the appropriate time in your city).

2. Eat a meal consisting of “other foods,” such as cooked matzah-meal(26) balls (knaidelech(27)), meat, fish(28), fruit(29) or a kosher-for-passover cholent(30) any time after 2:00 p.m. until 4:45 p.m. (All times are for Cleveland Heights, Ohio. Consult your local Rav for the appropriate time in your city). After that time, one is required to minimize his intake of food so as not to ruin his appetite for the seder.

Since both of these options are halachically problematic, many people have the custom of following both procedures, i.e., they split the morning meal, and then eat a meal of “other foods” after 2:00 p.m. (All times are for Cleveland Heights, Ohio. Consult your local Rav for the appropriate time in your city).

FIVE POINTS TO REMEMBER ...

1. The matzos which are designated for use at the seder should not be moved on Shabbos, as they are considered muktzeh in the opinion of several poskim(31).
2. On Shabbos, it is advisable not to cast chametz crumbs to the winds even within an eiruv, as some poskim hold that this may be a violation of the Shabbos Labor of Zoreh, Winnowing(32).
3. The challos which are designated for lechem mishneh should be left in a safe place where children cannot reach them(33).
4. A small child who will not participate in the seder may eat regular matzah this Shabbos.(34)
5. Before the women begin to prepare for the seder after Shabbos is over, they should recite Boruch hamavdil bein kodesh l'kodesh(35).

FOTNOTES:

1 There are different customs concerning when exactly the chametz is sold this year, since many people eat chametz and use chametz dishes until Shabbos morning. 2 All times are for Cleveland Heights, Ohio. 3 This custom is only l'chatchillah. If the chametz was not burned by this time, it may be burned anytime prior to the onset of Shabbos. 4 See Beir Halachah 468:1. 5 Even a “verbal preparation,” such as stating that the Shabbos nap is for the purpose of being well-rested for the seder, should be avoided; see Mishnah Berurah 290:4 6 For the sake of the children, who are a primary focus of the seder, the seder should begin as promptly as possible once Shabbos is over. 7 The horseradish should be ground and stored in an airtight container until the seder. 8 When feasible, even the seder table should be set on Friday. 9 A soft-bristled broom should be used. A carpet sweeper should not be used on Shabbos. 10 Mishnah Berurah 321:30 11 Igros Moshe O.C. 1:112; Seridei Eish 2:28; Minchas Yitzchak 3:48; Shevet ha-Levi 5:45; Tzitz Eliezer 7:30. [While a minority opinion permits using

toothpaste – see Ketzos ha-Shulchan (Badei ha-Shulchan 138:31), Yabia Omer 4:28 and Nefesh ha-Rav, pg. 168 – it is universally accepted not to do so.] 12 See Minchas Shelomo 2:35:3. 13 Based on Mishnah Berurah 327:10 14 Minchas Yitzchak 3:50. 15 Igros Moshe, ibid.; Shevet ha-Levi, ibid. 16 Igros Moshe, ibid. 17 Although egg matzot contain some eggs, they are mainly kneaded with either apple cider or grape juice. 18 Igros Moshe O.C. 1:155 There is, however, a minority view who objects to eating egg matzah on Erev Pesach; see Nezer ha-Kodesh 52 and Teshuvos v'Hanhagos 2:21 for an explanation of this view. [To satisfy this view, it is preferable to use egg matzah which is kneaded with grape juice.] 19 Mishnah Berurah 168:24; Igros Moshe O.C. 1:56 3:32; 4:41. See explanation in Pirkei Moed on Pesach (Ha av M. Gifter), pg. 17-19. 20 According to some poskim, it is preferable to eat a k'beitzah (about 2 fl. oz.) of egg matzah, since Al netilas yadayim is only recited over a k'beitzah or more; see Mishnah Berurah 158:10 and Igros Moshe O.C. 4:41 21 Igros Moshe O.C. 1:155 based on Rama 444:1. 22 Indeed, some poskim hold that there is no mitzvah to eat seudah shelishis at all on this Shabbos, and that none of the following options should be employed; Aruch ha-Shulchan 444:6. 23 The more important Shabbos foods should be served during the first morning meal, as the second Shabbos meal is considered more significant than seudah shelishis. 24 If time allows, a short walk outside between the meals is recommended. 25 When using egg matzah at this meal, other foods must also be served; otherwise ha-motzi and Birkas ha-Mazon cannot be recited. 26 Although it is prohibited to eat matzah on Erev Pesach, cooked or boiled matzah-meal products are permitted according to all of the poskim. Fried matzah-meal products, however, should be avoided (see Sha'ar ha-Tziyun 444:1). Baked matzah-meal products, such as cakes or cookies, are prohibited; Harav S.Z. Auerbach (Erev Pesach Shechal b'Shabbos, pg. 207); Shevet ha-Levi 8:117. 27 For those who eat gebrochts. Some people eat gebrochts on Erev Pesach even if they do not do so on Pesach; She'arim Metzuyanim b'Halachah 115:7. 28 Even if they were prepared with matzah-meal. A shehakol is recited over them. 29 When possible, eating matzah balls – whose blessing is mezonos – is preferable to eating meat or fish. Eating meat or fish is preferable to eating fruit; O.C. 291:5 30 Mishnah Berurah 444:14 31 See Pri Megadim 308:10; 471:8; 444:1. 32 Magen Avraham 446:2; Shulchan Aruch Harav 446:5-6; Maharsham (Derashah to Shabbos ha-Gadol, 76). Mishnah Berurah, however, is not concerned with this; see Beir Halachah 319:17 (s.v. mefazer). 33 Mishnah Berurah 444:3 34 Rama 471:2. 35 Mishnah Berurah 299:36
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From: **Yitz Etshalom**[SMTP:rebyitz@torah.org]

[From 2001]

To: P'shuto Shel Mikra Subject: Mikra Haggadah Shel Pesach

By RABBI YITZCHAK ETSHALOM

EREV PESACH ON SHABBAT

(with thanks to DR. SHNAYER LEIMAN)

A: The Problem

This year we have a relatively rare intercalation Pesach begins on Motza'ei Shabbat. This occurrence always raises significant Halachic discussions unique to this situation (e.g. preparations for the Seder, how to accomplish the destruction of Hametz and how to fulfill the obligatory three meals of Shabbat). In addition, there are several minor changes in the Seder itself (the extended Havdalah within Kadesh and the switching of "Zevachim" and "Pesachim" [according to some] in Birkat haG'ulah. Beyond all of these, the Gemara records a curious event, directly related to the "Erev Pesach which falls on Shabbat" phenomenon, which is, at first blanch, hard to decipher. Indeed, we may have only found the key to unlocking this mystery of history in the last few decades.

The Mishnah (Pesachim 6:1) records the law that the slaughtering and subsequent worship related to the Korban Pesach overrides the prohibitions of "M'lakhah" on Shabbat, such that the Korban Pesach is offered on the fourteenth of Nissan, even if that

date falls on Shabbat.

The Gemara (66a) presents some of the background to the Tannaitic discussion revolving around this thorny issue (some of which is found in the aforementioned Mishnah):

Our Rabbis taught: This halachah was hidden from [i.e., forgotten by] the Bene Bathyra. On one occasion the fourteenth [of Nisan] fell on the Sabbath, [and] they forgot and did not know whether the Passover overrides the Sabbath or not. Said they, 'Is there any man who knows whether the Passover overrides the Sabbath or not?' They were told, 'There is a certain man who has come up from Babylonia, Hillel the Babylonian by name, who served the two greatest men of the time, and he knows whether the Passover overrides the Sabbath or not...'

The Gemara goes on to present Hillel's argument (echoed in our Mishnah) from the text in Bamidbar 9. (Later on, Hillel chastises those who didn't remember the Halachah for dereliction in their studies, following which Hillel is himself stumped by a nuance of the same issue – the interested reader is encouraged to follow the sugya "inside".) What is relevant for our purposes is the opening statement – that B'nei B'tera, the guardians of the Beit haMikdash (see BT Pesachim 3b) forgot the Halachic response to a most basic question – is the Korban Pesach offered on Shabbat?

Most of us remember – if only vaguely – the last time that Pesach began on Motza'ei Shabbat (it was seven years ago). Whether or not we remember how we fulfilled the obligation of the three meals of Shabbat, we probably remember the early minyan attended by everyone and watching the clock that morning. Certainly the Poskei haDor hold this information at their fingertips and all of our congregational rabbis are familiar with all of the necessary details and know how to access them when circumstances and calendar demand. Most of the contemporary questions relate to the rabbinic admonition against eating Matza on Erev Pesach and the problems of "egg matza" as an unacceptable solution for some (Ashkenazim). Significant as these issues may be, they pale in comparison to the most documented ceremony of the Beit haMikdash – the Korban Pesach. How could everyone, including B'nei B'tera and the rest of the rabbinic leaders of the generation, have forgotten such an elementary Halachah?

B: The Judean Desert Scrolls

Perhaps the single most significant archeological discovery in the 20th Century (a century marked by dozens of critical finds at digs throughout the Levant) was the Dead Sea Scrolls. The Scrolls, found in a series of caves in the Judean desert, were accidentally unearthed by two young Bedouin shepherds in 1947 who, trying to retrieve a lost goat, happened upon seven nearly complete scrolls encased in clay jars. The ensuing search (by both Bedouins and archeologists) brought to light hundreds of scrolls that had been composed between the fourth century BCE and the first century CE. Over the past fifty years, much scholarly research has been devoted to deciphering these scrolls and comparing them with literature extant at the same time. Over this time, academicians who specialize in "the Scrolls" have attempted to determine, among other facts, the identity of the group that resided in the vicinity of these caves and which was responsible for the composition of the many documents.

Among the documents found are liturgical poems, letters, copies of canonized text from T'nakh as well as books of the apocrypha and pseudepigrapha, Midrashic expansions of those books (known as Pesharim) along with codes of practice. These codes not only contain the practices of the Qumran community, but, in some cases, record the polemics of their dispute with the Pharasaic community. A fascinating development of "Scrolls research" has been to "finally" see the mirror image of disputes recorded in Rabbinic literature – from the perspective of the Rabbinates opposite number. For instance, at the end of Mishnah Yadayim (4:7), there is a record of a Sadducean complaint against the Pharisees: "We complain against you Pharisees, for you declare pure the Nitzoq (poured out liquid stream)." This statement is followed by the counter argument proffered by the Hakhmim – however, for the roughly 1700 years between the publication of the Mishnah (c. 220 CE) until the publication of the Mik'tzat Ma'aseh Torah ("Halachic Letter"), students of the Mishnah had no access to the Sadducean perspective of this debate. With the discovery and subsequent publication of Mik'tzat Ma'aseh Torah we find the following argument put forth:

"And even regarding liquid streams, we say that they do not have purity. And even the liquid streams do not separate between the impure and the pure. For the moisture of the liquid streams and the vessel which receives from them are both considered one identical moisture." (MMT B56 58). [The case in question deals with a pure vessel that is the source of a liquid stream which flows into an impure vessel. The Sadducean position was that the water is all one, therefore the upper vessel is rendered impure by the lower vessel. The Rabbinic position is that the lower vessel has no effect on the upper vessel.] (Cf. M. Makh'shirin 5:9, MT Tum'at Okh'lin 7:1).

This find is much more than a historical curiosity of purely academic/research concern; by seeing the "counter argument" spelled out, we can better identify the group which resided in the desert and authored (or, at least copied and maintained) these scrolls. Whereas earlier indications where that the "Qumran community" was made up

of Essenes, the publication of Mik'tzat Ma'aseh Torah has provided much support for the theory that these sectarians were Sadducees (or an offshoot of that group) as indicated by the example cited above. This is critical for our purposes, as any information found in the Scrolls can be helpful in helping us understand the Sadducean position – a position with which we were only familiar from Rabbinic sources until now.

C: The Sadducean Calendar

Among the many significant passages in the Mik'tzat Ma'aseh Torah is the Calendar of the community. Although there is much scholarly debate as to whether this calendar was ever put into practice, this solar calendar (!) is quite clearly spelled out and sheds much light on the "ignorance" of the B'nei B'tera.

The calendar (taken here from pp. 302-303 of Lawrence Schiffman's "Reclaiming the Dead Sea Scrolls", the source for much of the background information above) consisted of a 364 day year, constituting exactly 52 weeks. Each month had thirty days and, in order to keep the calendar in line with the equinoxes and solstices, a thirty first day was added to every third month.

As a result of the exact weeks (with no remaining days) in this calendar, each Festival occurred on the same day of the week every year. [It is difficult to imagine how a calendar of this sort could ever be maintained without regular correction for the missing 30 hours every solar year; that is why, as pointed out above, many scholars claim that this calendar was never actually put into practice.] Here are the days found in the Scrolls calendar which have relevance to our discussion: Pesach (14th of First Month) Tuesday Matzot (15th of First Month) Wednesday

It is evident from a number of Talmudic sources that the Sadducees held control over the worship in the Beit haMikdash during some periods of the last few hundred years of the Second Commonwealth. For instance, the Mishnah in Yoma records that the Beit Din would make the Kohein Gadol swear never to deviate from their instructions while inside the Sanctum Sanctorum on Yom haKippurim. As the Gemara (BT Yoma 19b) explains, the suspicion arose that he was secretly a Sadducee. There is also the well known story (BT Sukkah 48b) of the Kohen Gadol who spilled out the water libation at his feet (and was subsequently "Etrogged" by the worshippers) – note Rashi at Yoma 26b s.v. shePa'am Ahat who identifies him as a Sadducee. The Sadducees rejected the tradition of the water libation.

Since this sect, from time to time, exercised significant control over the Beit HaMikdash during the first century BCE and into the millennium, it is reasonable to assume that they put their calendar into operation during those years. Dr. Shmayer Z. Leiman suggests that this is the most reasonable explanation to the "ignorance" of the rabbinic community regarding how to behave on Nissan fourteenth which falls on Shabbat. There had been many years, perhaps several generations, since Pesach had fallen on Shabbat, since it would always be set for Tuesday under Sadducean rule.

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date: Mar 17, 2021, 4:00 PM

Rabbi Ahron Lopiansky -

Korbanos: Man's Offering of a Gift

Korbanos: Man's Offering of a Gift

Vayikra is the sefer that deals, to a great degree, with korbanos. In many ways, korbanos are almost a "different" type of mitzvah. Just as Torah and tefillah are mitzvos, but may rightfully be considered a subsection of mitzvos, so too korbanos seem to comprise a "subsection" of the world of mitzvos. Let us consider a few of the many unique features of korbanos:

The bringing of korbanos is the first and only mitzvah described as such in the Torah, well before mattan Torah. Thus from Adam Harishon onwards, we have korbanos being brought by Adam, Kayin & Hevel, Noach, Avraham, etc. Chazal have revealed to us allusions in the pesukim to different mitzvos that the avos performed but none of them are even remotely stated explicitly. We also find acts of kindness and hachonsas orchim by Avraham, but they are presented as general acts of benevolence, not as a specific religious act the way korbanos are.

All mitzvos require a minimum level of kavana, i.e. a simple intent to perform the mitzva. It is noble and worthy to have many other thoughts and kavanos, but the simple intent to do the mitzvah is all that is necessary. Yet regarding korbanos, the mishan mandates six(!) kavanos [although they do not invalidate the korban if not had in mind.] There is also a kavana of lishmah which the absence of or corruption of may invalidate the korban. Why this unique requirement?

The Nevi'im berate Klal Yisroel many times for bringing korbanos while still being engaged in sin, especially injustice, etc. There is never a parallel rebuke to the effect of, "why are you wearing tefillin if you are corrupt?" As a matter of fact, the Rambam

in Igeres Teiman makes this point explicitly, "...but Yaravam ben Navat, of cursed memory, will be punished for the calves [idols] that he sinned with and caused Israel to sin with, and at the same time he will be punished for not sitting in the Sukkah..." Why, then, do the nevi'im excoriate Israel for performing the mitzvah of korbanos?

In order to resolve these issues we need to understand what distinguishes korbanos from mitzvos as a whole. The overarching description of mitzvos is "fulfilling the command of Hashem." It's an act of obedience, the fulfillment of one's duties [albeit one that changes and elevates the person performing the mitzvos.] But korbanos are described as a "doron - gift." The Maharal makes the point many times (see Gevuros 37, Tiferes 70) that a korban is a personal desire to connect to Hashem. The distinction between mitzvos and korbanos is like the difference between a husband supporting his wife as required by marital obligations vs. purchasing a gift as an act of appreciation and love. This is perhaps why the Torah starts its laws of korbanos with the korbanos that are voluntary, as opposed to those that are obligatory. Voluntary korbanos more completely reflect the essential nature of a korban than do those that are obligatory.

Using this perspective, we understand the reason for the unique features of korbanos. Bringing a korban is an act of bonding with HKB"H, and as such, even before there were mandated mitzvos there were korbanos, reflecting man's timeless yearning to reach out and connect to Hashem. As opposed to mandated mitzvos whose primary value lies in the performance of the mitzvah itself, when it comes to a korban the kavana is of paramount importance, much like when giving a gift where "it is the thought that counts."

It is the same point regarding the castigation of Israel for bringing korbanos whilst sinning. It's appropriate for a person to continue supporting his wife even though their relationship is strained. But if a person showers her with gifts while treating her wretchedly, it is a travesty!

This understanding of korbanos inspires us to year for the day when the Beis Hamikdash returns and we can once again offer our "gifts" / selves to Hashem. We will then go from subjects dutifully carrying out their tasks to a loved one eagerly waiting to be embraced! Bimeheira b'yameinu, amen.

More divrei Torah from Rabbi Lopiansky

More divrei Torah on Parshas Vayikra

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from: The **Rabbi Sacks Legacy Trust** <info@rabbisacks.org>

date: Mar 17, 2021, 3:16 PM

subject: The Sins of a Leader (Vayikra 5781)

The Sins of a Leader

Vayikra 5781

Rabbi Sacks zt"l had prepared a full year of Covenant & Conversation for 5781, based on his book Lessons in Leadership. The Rabbi Sacks Legacy Trust will continue to distribute these weekly essays, so that people all around the world can keep on learning and finding inspiration in his Torah.

As we have discussed so many times already this year, leaders make mistakes. That is inevitable. So, strikingly, our parsha of Vayikra implies. The real issue is how leaders respond to their mistakes.

The point is made by the Torah in a very subtle way. Our parsha deals with sin offerings to be brought when people have made mistakes. The technical term for this is sheggagah, meaning inadvertent wrongdoing (Lev. 4:1-35). You did something, not knowing it was forbidden, either because you forgot or did not know the law, or because you were unaware of certain facts. You may, for instance, have carried something in a public place on Shabbat, perhaps because you did not know it was forbidden to carry, or you forgot what was in your pocket, or because you forgot it was Shabbat.

The Torah prescribes different sin offerings depending on who made the mistake. It enumerates four categories. First is the High Priest, second is "the whole community" (understood to mean the Great Sanhedrin, the Supreme Court), a third is "the leader" (Nasi), and the fourth is an ordinary individual.

In three of the four cases, the law is introduced by the word im, "if" – if such a person commits a sin. In the case of the leader, however, the law is prefaced by the word asher, "when" (Lev. 4:22). It is possible that a High Priest, the Supreme Court or an individual may err. But in the case of a leader, it is probable or even certain. Leaders make mistakes. It is unavoidable, the occupational hazard of their role. Talking about the sin of a Nasi, the Torah uses the word "when," not "if."

Nasi is the generic word for a leader: a ruler, king, judge, elder or prince. Usually it refers to the holder of political power. In Mishnaic times, the Nasi, the most famous of whom were leaders from the family of Hillel, had a quasi-governmental role as representative of the Jewish people to the Roman government. Rabbi Moses Sofer (Bratislava, 1762-1839) in one of his responsa[1] examines the question of why, when positions of Torah leadership are never dynastic (never passed from father to son), the

role of Nasi was an exception. Often this role did pass from father to son. The answer he gives, and it is historically insightful, is that with the decline of monarchy in the Second Temple period and thereafter, the Nasi took on many of the responsibilities of a king. His role, internally and externally, was as much political and diplomatic as religious. That in general is what is meant by the word Nasi.

Why does the Torah consider this type of leadership particularly prone to error? The commentators offer three possible explanations. R. Ovadiah Sforno (to Lev. 4:21-22) cites the phrase "But Yeshurun waxed fat, and kicked" (Deut. 32:15). Those who have advantages over others, whether of wealth or power, can lose their moral sense. Rabbeinu Bachya agrees, suggesting that rulers tend to become arrogant and haughty. Implicit in these comments – it is in fact a major theme of Tanach as a whole – is the idea later stated by Lord Acton in the aphorism, "Power tends to corrupt, and absolute power corrupts absolutely." [2]

Elie Munk, citing the Zohar, offers a second explanation. The High Priest and the Sanhedrin were in constant contact with that which was holy. They lived in a world of ideals. The king or political ruler, by contrast, was involved in secular affairs: war and peace, the administration of government, and international relations. They were more likely to sin because their day-to-day concerns were not religious but pragmatic. [3]

Meir Simcha ha-Cohen of Dvinsk [4] points out that a King was especially vulnerable to being led astray by popular sentiment. Neither a Priest nor a Judge in the Sanhedrin were answerable to the people. The King, however, relied on popular support. Without that he could be deposed. But this is laden with risk. Doing what the people want is not always doing what God wants. That, R. Meir Simcha argues, is what led David to order a census (2 Sam. 24), and Zedekiah to ignore the advice of Jeremiah and rebel against the King of Babylon (2 Chr. 36). Thus, for a whole series of reasons, a political leader is more exposed to temptation and error than a Priest or Judge.

There are further reasons. [5] One is that politics is an arena of conflict. It deals in matters – specifically wealth and power – that are in the short-term, zero-sum games. "The more I have, the less you have. Seeking to maximise the benefits to myself or my group, I come into conflict with others who seek to maximise benefits to themselves or their group." The politics of free societies is always conflict-ridden. The only societies where there is no conflict are tyrannical or totalitarian ones in which dissenting voices are suppressed – and Judaism is a standing protest against tyranny. So in a free society, whatever course a politician takes will please some and anger others. From this, there is no escape.

Politics involves difficult judgements. A leader must balance competing claims and will sometimes get it wrong. One example – one of the most fateful in Jewish history – occurred after the death of King Solomon. People came to his son and successor, Rehoboam, complaining that Solomon had imposed unsustainable burdens on the population, particularly during the building of the Temple. Led by Jeroboam, they asked the new King to reduce the burden. Rehoboam asked his father's counsellors for advice. They told him to concede to the people's demand. Serve them, they said, and they will serve you. Rehoboam then turned to his own friends, who told him the opposite: Reject the request. Show the people you are a strong leader who cannot be intimidated (1 Kings 12:1-15).

It was disastrous advice, and the result was tragic. The kingdom split in two, the ten northern tribes following Jeroboam, leaving only the southern tribes, generically known as "Judah," loyal to the king. For Israel as a people in its own land, it was the beginning of the end. Always a small people surrounded by large and powerful empires, it needed unity, high morale and a strong sense of destiny to survive. Divided, it was only a matter of time before both nations, Israel in the north, Judah in the south, fell to other powers.

The reason leaders – as opposed to Judges and Priests – cannot avoid making mistakes is that there is no textbook that infallibly teaches you how to lead. Priests and Judges follow laws. For leadership there are no laws because every situation is unique. As Isaiah Berlin put it in his essay, "Political Judgement," [6] in the realm of political action, there are few laws and what is needed instead is skill in reading a situation. Successful statesmen "grasp the unique combination of characteristics that constitute this particular situation – this and no other." Berlin compares this to the gift possessed by great novelists like Tolstoy and Proust. [7] Applying inflexible rules to a constantly shifting political landscape destroys societies. Communism was like that. In free societies, people change, culture changes, the world beyond a nation's borders does not stand still. So a politician will find that what worked a decade or a century ago does not work now. In politics it is easy to get it wrong, hard to get it right.

There is one more reason why leadership is so challenging. It is alluded to by the Mishnaic Sage, R. Nechemiah, commenting on the verse, "My son, if you have put up security for your neighbour, if you have struck your hand in pledge for another" (Prov. 6:1):

So long as a man is an associate [i.e. concerned only with personal piety], he need not be concerned with the community and is not punished on account of it. But once a man

has been placed at the head and has donned the cloak of office, he may not say: 'I have to look after my welfare, I am not concerned with the community.' Instead, the whole burden of communal affairs rests on him. If he sees a man doing violence to his fellow, or committing a transgression, and does not seek to prevent him, he is punished on account of him... you are responsible for him. You have entered the gladiatorial arena, and he who enters the arena is either conquered or conquers.[8]

A private individual is responsible only for their own sins. A leader is held responsible for the sins of the people they lead: at least those they might have prevented.[9] With power comes responsibility: the greater the power, the greater the responsibility.

There are no universal rules, there is no failsafe textbook, for leadership. Every situation is different and each age brings its own challenges. A ruler, in the best interests of their people, may sometimes have to take decisions that a conscientious individual would shrink from doing in private life. They may have to decide to wage a war, knowing that some will die. They may have to levy taxes, knowing that this will leave some impoverished. Only after the event will the leader know whether the decision was justified, and it may depend on factors beyond their control.

The Jewish approach to leadership is thus an unusual combination of realism and idealism – realism in its acknowledgement that leaders inevitably make mistakes, idealism in its constant subordination of politics to ethics, power to responsibility, pragmatism to the demands of conscience. What matters is not that leaders never get it wrong – that is inevitable, given the nature of leadership – but that they are always exposed to prophetic critique and that they constantly study Torah to remind themselves of transcendent standards and ultimate aims. The most important thing from a Torah perspective is that a leader is sufficiently honest to admit their mistakes. Hence the significance of the sin offering.

Rabban Yochanan ben Zakkai summed it up with a brilliant double-entendre on the word *asher*, meaning “when” in the phrase “when a leader sins.” He relates it to the word *ashrei*, “happy,” and says: Happy is the generation whose leader is willing to bring a sin offering for their mistakes.[10]

Leadership demands two kinds of courage: the strength to take a risk, and the humility to admit when a risk fails.

[1] Responsa Chatam Sofer, Orach Chayyim, 12.

[2] This famous phrase comes from a letter written by Lord Acton in 1887. See Martin H. Manser, and Rosalind Fergusson, *The Facts on File Dictionary of Proverbs*, New York: Facts on File, 2002, 225.

[3] Elie Munk, *The Call of the Torah*, Vayikra, New York, Mesorah Publications, 1992, 33.

[4] Meshech Chochmah to Lev. 4:21-22.

[5] This, needless to say, is not the plain sense of the text. The sins for which leaders brought an offering were spiritual offences, not errors of political judgment.

[6] Isaiah Berlin, *The Sense of Reality*, Chatto and Windus, 1996, 40-53.

[7] Incidentally, this answers the point made by political philosopher Michael Walzer in his book on the politics of the Bible, *In God's Shadow*. He is undeniably right to point out that political theory, so significant in ancient Greece, is almost completely absent from the Hebrew Bible. I would argue, and so surely would Isaiah Berlin, that there is a reason for this. In politics there are few general laws, and the Hebrew Bible is interested in laws. But when it comes to politics – to Israel's Kings for example – it does not give laws but instead tells stories.

[8] Exodus Rabbah, 27:9.

[9] “Whoever can prevent the members of his household from sinning and does not, is seized for the sins of his household. If he can prevent his fellow citizens and does not, he is seized for the sins of his fellow citizens. If he can prevent the whole world from sinning, and does not, he is seized for the sins of the whole world.” (Shabbat 54b)

[10] Tosefta Baba Kamma, 7:5.

From: Chabad.org Magazine <inspiration@chabad.org>

Thu, Mar 18, 2021 at 5:48 PM

On Holiness

By Adin Even-Israel (Steinsaltz)

The book of holiness

It is commonly said that the book of Leviticus deals with the laws of the *korbanot*, and indeed it does contain many of these laws. But the truth is that these laws also appear in Exodus, Numbers, and Deuteronomy, and even in Genesis, to some extent. What is more, while Leviticus itself does deal extensively with these laws, it is not devoted exclusively to them. If we had to connect Leviticus with the orders of the Talmud, we would say that, generally, it deals with material found in tractates *Kodashim* and *Teharot*. Most of the contents of these two orders appear in Leviticus, while a small part appears in Numbers. Additionally, Leviticus deals with a number of topics that are

scattered throughout other books of the Torah as well, albeit in different contexts.

If, nevertheless, we must provide a general description of the book's theme, it is accurate to say that Leviticus deals with the various aspects of holiness. Holiness is found in all of the book's subjects, in the major principles as well as in the small particulars. This emphasis on holiness manifests itself linguistically as well: In no other book in all of Tanach does the root *k-d-sh* (holy) appear so frequently.

Holiness is the context for all the subjects discussed throughout Leviticus. Even subjects that, at first glance, do not seem to pertain to the laws of holiness are included in Leviticus as part of the larger scheme of holiness and consecration in religious life. This holds true whether the subject is *korbanot* or matters of *tumah* and *taharah*; it holds true for the laws of forbidden sexual relationships in *Parshiot Acharei Mot* and *Kedoshim*, and even for the interpersonal *mitzvot*. Thus, for example, the section on idolatry begins with: “Anyone of the People of Israel...who gives of his offspring to Molech shall be put to death,” and ends with: “Sanctify yourselves and be holy, for I am G-d your Lord.”¹ Similarly, regarding forbidden foods, it says, “I am G-d your Lord who has set you apart from the nations. So you shall set apart the pure animals and birds from the impure...You shall be holy unto Me, for I, G-d, am holy, and I have set you apart from the nations to be Mine.”²

Similarly, laws whose rationale appears, at first glance, to be related to law and order or to morality appear in Leviticus as deriving from the sphere of holiness. An example of this can be seen in the section on dishonesty: “G-d said to Moses, saying: If a person sins and commits a trespass against G-d by dealing deceitfully with his neighbor in the matter of an article left for safekeeping, or a business deal, or by robbery, or by defrauding his fellow.”³ The case is that of one who robs his neighbor in one way or another, either openly or secretly. However, the Torah, in mentioning the obligation to return the stolen article, the withheld funds, or the deposit, focuses on another aspect of the act: “He shall bring his sin offering to G-d...And the Priest shall effect atonement for him before G-d, and he will be forgiven.”⁴ Beyond what he did to his fellow man, he committed “a trespass against G-d.” This is a new factor, not a social factor but a kind of desecration. The sinner has desecrated something that was set aside as holy. Even interpersonal relationships are not discussed here from the standpoint of law and order or morality but from the standpoint of “a trespass against G-d.”

Even the Ten Commandments, all of which are alluded to in *Parshat Kedoshim*,⁵ are viewed from a different angle, the special angle of the book of Leviticus.

Definition of holiness

It is important to stress that if the general common denominator in Leviticus is the theme of holiness, then the definition of holiness here is not exactly the definition we would expect. Holiness is not only what one does or does not do in the Temple, but something that applies even in places that have nothing at all to do with the ritual holiness of the Sanctuary or the Temple. It is a spiritual quality in its own right, beyond the kind of holiness described by the Maharal, for example, who speaks of holiness as the aspect of standing apart from everything or as a type of detachment.⁶ Here, holiness diverges from the ritual sphere and takes on a different meaning: something special or unique.

From the book of Leviticus it follows that if an ordinary person steals, he, too, impinges, somehow, on holiness. To defraud someone is “to commit a trespass against G-d.” This may seem strange; what does stealing from one's neighbor have to do with G-d? However, the Torah insists that such a person has committed sacrilege, and therefore must make amends before G-d.

What all this adds up to is that holiness is a type of general refinement, perfection, and exaltation, not necessarily limited to one particular point or area. Holiness here means that there are certain acts that are so foul that one embarrasses not only himself, but G-d as well upon committing them.

When one refrains from committing a transgression, it may be because one simply has no desire to commit such an act. In contrast, it may be that one is able to refrain from committing the transgression despite his desires. The Midrash articulates this line of thinking: “I do have a desire for such and such, but what can I do, since my Father in heaven has ordered me to abstain?”⁷ The general conception of holiness is, in a certain sense, “I have no desire” – I cannot do it; I have an aversion to such a thing; it is simply out of the question for me to stoop to such a base, low level and commit such a sin. A story is told of a rebbe who claimed regarding one of his Hasidim that the reason he does not sin is simply pride. For this Hasid, it seemed degrading that an exalted personality such as he should demean himself through sin.

There is a clever (though certainly not straightforward) explanation of the verse, “The wicked crows (*hillel*) about his unbridled lust”⁸: Does a wicked man resemble the great sage Hillel? The answer is that even a man as distinguished as Hillel the Elder is capable – when obsessed with “unbridled lust” – of bringing himself to a state that is so indecent that he reduces himself to the level of the basest of individuals. This can be seen in the case of all sorts of desires. A person can be distinguished, admirable, respected, and highly regarded; but when he is overcome with passion – suddenly, all

the eminence peels off him, he debases himself and becomes a kind of four-legged creature, or even something lower.

When it says, “You shall be holy unto Me, for I, G-d, am holy,”⁹ the Torah is talking about the glory of Israel: You are holy, you are uplifted; therefore, you must not degrade yourselves and sink so low. The requirement of holiness in Leviticus is thus a type of musar. There are children on whom this type of musar works very well. One need not hit his child or punish him, but merely say to him, “This kind of behavior is beneath you.” Much of what is written in Leviticus about transgressions is based on this approach: “Is it possible that you would do such shameful things?”

The Midrash says that the meaning of “ascending and descending on it (bo)”¹⁰ is that Jacob’s image was engraved on the Throne of Glory, and the angels were comparing the ideal image of the heavenly Jacob with his image as it actually appeared below.¹¹ This is a very demanding comparison: Does Jacob’s actual appearance correspond to his ideal image, to what he is capable of being? Likewise, the requirement of “You shall be holy, for I am holy” derives from the comparison of one’s heavenly image with one’s earthly image, as though to say: This is your source, this is your root, you originate from this ideal image; in light of this – how can you possibly sin?

That is why we say each morning: “My G-d, the soul that You gave me is pure.” We start from above and continue below. It could be that during the day a person is occupied with all sorts of mundane things; nevertheless, he remembers that “the soul that You gave me is pure.” The Talmud states that just as the beams of a person’s house testify against him, so do his own limbs and his own soul.¹² The Baal Shem Tov writes, “A person’s own soul will teach him,” meaning that one feels embarrassment when facing his own soul, his own heavenly image. In the same way, one is embarrassed in the face of the injunction, “You shall be holy unto Me.”

The requirement of holiness is at the essence of a Jew’s very existence. Hence, there are transgressions regarding which the Torah says, “I will cut him off,” or “that soul shall be cut off.” After a person does such things, there is no longer justification for his soul to continue its existence. Such a person removes himself from the circle of holiness and ceases to be part of the community of Israel, not just socially, but spiritually as well; he is lost in the sense that he is cut off from the source of life, from all that justifies his existence – precisely because it is holy.

Exceptional responsibility

Our sages often refer to the book of Leviticus as *Torat Kohanim* (the Law of the Priests). Though it does contain many such laws, it is certainly not devoted exclusively to the Priests and their service. Nonetheless, the message that “You shall be My special treasure among all the peoples... You shall be to Me a kingdom of Priests and a holy nation,”¹³ which is the essence of Israel’s chosenness, appears in Leviticus with special emphasis. The Jewish people is “a kingdom of Priests” both literally and figuratively. We are, in a sense, the Priests of all mankind, with all the obligations that derive from this calling.

The prophets, too, speak of the exceptional responsibility that goes with being chosen as “a kingdom of Priests.” Regarding other nations, for example, G-d does not always make a strict accounting, whereas regarding the People of Israel it says, “You alone have I known of all the families of the earth – that is why I will call you to account for all your iniquities.”¹⁴ This is not only because the greater the person, the greater his fall, and the higher his level, the lower his descent. Rather, there is improper behavior that an ordinary person can get away with, whereas a Jew is held up to much more intense scrutiny; if he does these things, it is considered a major blemish.

This distinction can be seen in connection with prophecy. The Talmud says that “The Holy One, Blessed Be He, causes His Divine Presence to rest only on one who is strong, wealthy, wise, and humble.”¹⁵ These qualities are required only of the prophets of Israel, and they are connected with the holiness that is unique to Israel. In the case of all the other nations, a person who possesses none of these positive traits can still become a great prophet.

Bilam not only is not an admirable individual, he is a truly base creature. Nevertheless, the Midrash relates that Bilam’s level of prophecy paralleled that of Moses himself: “Never again has there arisen in Israel a prophet like Moses – in Israel there has not arisen, but among the nations there has arisen. And who is that? Bilam son of Beor.”¹⁶ Bilam is the only prophet from among the nations of the world whose prophecy is included in the Torah. The daily morning prayer service begins with a verse spoken by him – “How fair are your tents, O Jacob, your dwellings, O Israel!”¹⁷ – and his prophecy reached to the end of days, to the end of all generations. Why is this so?

Apparently, in the case of nations of the world, prophecy is simply a matter of talent. The prophet can be a philosophical genius but totally incompetent in everything else, just as a peerless mathematician can be clueless in other fields of study. Among the nations, prophecy is a gift, a special quality that remains isolated from the rest of the prophet’s essence. In the case of Israel’s holiness and spiritual essence, however, such a thing could not be; there cannot be an exalted personality whose exaltedness is sullied.

This same point is echoed in the saying, “If someone tells you, ‘There is wisdom among

the nations,’ believe it; ‘There is Torah among the nations,’ do not believe it.”¹⁸ Wisdom can be found anywhere. One can learn even from an animal – as it says, “Who teaches us by the beasts of the earth”¹⁹ – and certainly one can learn wisdom from someone who is not a member of the covenant. A person can be both a great mathematician and an adulterer, but it cannot be that someone who transgressed the laws that are found in Parashot Achaarei Mot or Kedoshim is also a true Torah scholar. Torah, which belongs to the kabbalistic category of “wisdom of holiness,” can be found only where there is holiness – and holiness does not go together with baseness. The requirements of holiness are much stricter.

Devarim FOOTNOTES

1. Lev. 20:1–8.

2. 20:24–26.

3. Lev. 5:20–21.

4. 5:25–26.

5. Leviticus Rabbah 24:5.

6. Tiferet Yisrael 11.

7. Sifra, Kedoshim 9.

8. Ps. 10:3.

9. Lev. 20:26.

10. Gen. 28:12.

11. Genesis Rabbah 68:12. According to this interpretation in the Midrash, bo refers not to the ladder but to Jacob.

12. Taanit 11a.

13. Ex. 19:5–6.

14. Amos 3:2.

15. Nedarim 38a.

16. Sifrei, Deuteronomy 357.

17. Num. 24:5.

18. Lamentations Rabbah 2:13.

19. Job 35:11.

By Adin Even-Israel (Steinsaltz) Rabbi Adin Even-Israel (Steinsaltz) (1937-2020) was internationally regarded as one of the leading rabbis of this century. The author of many books, he was best known for his monumental translation of and commentary on the Talmud. To learn more visit his website.

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date: Mar 17, 2021, 10:24 AM

subject: Parshas Vayikra

Isheh Reyach Nichoach Lashem - A satisfying aroma to Hashem. (1:9)

The service comes to its conclusion as the aroma of the offering rises up in smoke to Hashem. This pleases Hashem because, as Chazal (Sifra, cited by Rashi) explain, “I have spoken, and My will has been carried out.” Hashem certainly is not into aroma, nor does He require offerings. We do not understand the esoteric rationale behind korbanos, offerings. We do understand, however, that when Hashem commands – we respond by executing to His will. What could be more pleasing than having one’s will carried out to perfection. Indeed, the Talmud (Menachos 110a) teaches: “The term ishei reiaich nichoach is written concerning the burnt-offering of an animal (cattle), the burnt-offering of a fowl and the meal-offering made of flour and oil. This is to teach that, regardless what one brings as an offering, be it expensive (cattle) or little (such as the offering of a poor man, a Korban Minchah, meal-offering), offerings are all the same before Hashem, as long as the donor is mechavein, directs his heart, focuses his intention, toward Heaven/Hashem.”

In order to give the reader an understanding and appreciation of the meaning of yechavein libo laShomayim, “directs his heart Heavenward,” Horav Reuven Karlinstein, zl, relates a vignette concerning the saintly Bobover Rebbe, zl, Horav Shlomo, zl. When Rav Karlinstein was in America to receive treatment for an illness, a Bobover chassid who was himself very close to the Rebbe attended to Rav Karlinstein’s needs, which included traveling to various medical centers across the country. This chassid related that the Rebbe had an interesting daily custom. Almost like clockwork, every day, between the hours of four and five o’clock, the gabbai, aide, would bring in a plate with egg kichel, light cookies, of which the Rebbe would partake, make a B’racha Achronah, Al Ha’ michyah, and continue with his day. The Rebbe insisted specifically on cookies – no fruit substitute. Indeed, one day, the gabbai said he had always wondered what it was

about cookies that “excited” the Rebbe.

Shortly prior to the Rebbe’s passing, a close confidant of the Rebbe gathered up the courage to question the Rebbe concerning his insistence on cookies for his daily afternoon repast. The Rebbe was not into food. He ate very little, and he was not finicky concerning his menu, except when it concerned his afternoon cookies. “Why?” he asked. “What is so unique about these cookies that they mean so much to the Rebbe?”

The Bobover explained, “The Bracha Achronah, After Blessing, recited for mezonos, cookies and other such snack-oriented foodstuffs, is U’nevarechcha alehah bikedushah u’vtaharah; “and we will bless You in holiness and purity.” It is the only brachah of its kind; the only one in which we petition Hashem to allow us to bless Him in sanctity and purity. I cannot allow a day to pass during which I do not beseech Hashem to allow me to be worthy of this opportunity.” [In an addendum to this story, my brother-in-law, Reb Moshe Brunner, a staunch Bobover chassid, was, for all intents and purposes, a ben bayis, frequent guest/visitor at the Rebbe’s home. He observed the Rebbe many an afternoon, and eating cookies at 4:00 p.m. was not his usual daily tidbit. In fact, he remembers being with the Rebbe at 10:00 p.m. as the Rebbetzin came in to insist that he have dinner. The Rebbe responded that there were chassidim still waiting to be seen. He would have his egg kichel instead. He had not yet blessed Hashem b’kedushah u’be’taharah.

Rav Karlinstein bemoans the fact that Al Ha’michyah is one of the most neglected b’rachos. We attend a Kiddush after davening; someone has yahrzeit; we grab a danish, eat and run – no Al Ha’michyah. We make Havdalah, and something comes up which requires our attention. The result is that we neglect to say Al Ha’gefen. When we stop to think about the implications of this brachah and the opportunity it affords us to offer a “satisfying aroma to Hashem,” we will think twice before neglecting this important brachah.

Asher Nasi Yechta - When a ruler sins. (4:22)

Rashi explains the word asher, as related to ashrei, fortunate: “Praised/fortunate is the generation whose leader is bold/courageous enough to offer penance/korban/offering for his shegagah, inadvertent sin; kal v’chomer, how much more so, if he is prepared to show remorse/ regret over his willful sin.” It is a rare leader who does not conceal his error, who does not hide behind his exalted office, often denying that he committed an error in judgment or had a lapse in his spiritual relationship with Hashem, one who proclaims, Chatasi, “I have sinned.” This is unfortunately a rare phenomenon, but this alone is reason to underscore the good fortune of a generation which has such a leader. This leader is not arrogant or pompous, does not blame his mistakes on everyone else but himself, the perpetrator of the misdeed. He is a human being – and human beings occasionally err.

Horav A. Henach Leibowitz, zl, observes that one would expect such laudatory/recognition in a corrupt generation whose leadership is selected, not on the basis of their Torah erudition or fear of G-d, but on “connections” and “pull.” One might suspect that a leader whose Torah and yiraas Shomayim is, at best, elementary, and, for the most part, lacking, to be one who would camouflage his misdeeds. This is not unexpected when one’s character is far from praiseworthy. Thus, one who breaks from the pack, acts remorseful and seeks penance, should be commended. The Rosh Yeshivah, notes, however, that Rashi implies that arrogance and cover-up are not unknown in a generation whose congregants are impeccable in their yiraas Shomayim and whose leadership are the products of an exhaustive search for one whose erudition matches his unsurpassed yiraas Shomayim. Would such a person be the victim of arrogance? Could he fall prey to concealing his spiritual deficiency? Apparently, even the best of the best are human, and, as such, fear humiliation. Thus, a generation whose leadership declares his guilt is truly fortunate.

Hashem selected Shaul Ha’Melech to be our people’s first king. This appointment was indicative of his spiritual excellence. Yet, his extraordinary humility was insufficient to protect him from his own human nature, which did not allow him to confess to his shortcomings. The Rosh Yeshivah cites Eliyahu Rabbah (31:13) that refers to Shaul as being guilty of gasus ruach, thickness of spirit (arrogance), a deep desire to be someone of significance. On the other hand, we find the Navi excoriating Shaul for his misplaced humility, referring to him as nechba el ha’keilim, hiding behind the vessels (Shmuel I, 10:22). Clearly, Shaul was righteous and humble but this, explains the Rosh Yeshivah, does not necessarily obviate him from declaring, “I listened to the voice of Hashem,” when, in fact, he did not (Shmuel I, 15:20). Clearly, on Shaul’s exalted spiritual level, the slight tinge of impropriety was viewed as a sin, thus we see the reference to him being guilty of gasus ha’ruach. This shows us that, regardless of a person’s stature, confessing to a wrong, however slight, takes much spiritual and emotional character.

Perhaps we might be able to explain Shaul’s actions by distinguishing between gaavah, haughtiness, and gasus ha’ruach, thickness of spirit. The fellow who is plagued by gasus ha’ruach seeks significance, wants to be relevant, independent of Hashem. Arrogance, on the other hand, is the feeling that one has actually made it; he has achieved

significance. Thus, the one who is plagued with gasus ha’ruach, passions for what he has convinced himself he must have, while the baal gaavah has what he thinks is important. He thrives on being relevant and being the object of public adulation – regardless of whether it is all external. He is convinced that he is special. This is all that counts.

Let us address the opposite side of the coin. One who is humble neither ignores his fine attributes, nor negates his achievements and potential. He knows what he is and what he is capable of doing. It just does not mean that much to him. “So what?” he will reply to those who laud his accomplishments. In Chabad Chassidus, this feeling is called a lack of hargashas atzmo, feeling of self. He is neither absorbed in nor conscious of himself. He acts, does what he is supposed to do – and moves on with life. He neither stops to pat himself on the back, nor pines for adulation.

Gasus ha’ruach leads one to depression and disillusionment when he does not obtain what he is seeking. A person who has developed his middas ha’anavah, attribute of humility, does not allow for extraneous issues that pull so many people down to affect him. He remains b’simchah, filled with joy, because what he might not have, the accolades that mean so much to his counterpart, mean nothing to him.

Shaul Ha’Melech’s humility was contrived of melancholy and despair resulting from the gasus ha’ruach that affected him. (We must underscore that the use of these terms about a tzaddik of the level of Shaul Ha’Melech are used only relative to his exalted spiritual stature.) Shaul sought significance and, when he felt it was not forthcoming, he fell into despair which, for all outward appearances, manifested itself as humility. One who is truly humble is filled with simchah, because he has no cares to bring him down. One whose anavah is the result of gasus ruach is plagued by atzvus, despondency, because he feels that what he is seeking eludes him. Shaul Ha’Melech was not guilty of arrogance. As the Eliyahu Rabbah teaches, he was plagued with gasus ha’ruach. Regardless of his achievements, he was dissatisfied, because he wanted more.

Some people live for attention – because they not only thrive on it, but they need it to live. Without a feeling of relevance and significance, they become despondent. Sad, but that is the human nature of those who are plagued with a thickness of spirit. We should focus and learn from those who truly would do anything not to garner public adulation and fanfare. No dearth of stories describes the sincere modesty manifest by our Torah leaders. It seems as if the greater they were, the greater their demureness. Their unpretentiousness was real. The Rachmastrivka Rebbe, zl, was unique in his saintliness. At one point, he was in excruciating pain in his arm. It had become infected, and his doctors were concerned that the infection would spread. He exercised his arm as per his doctor’s orders in order to loosen up the muscles and increase blood flow. He was informed that chamei Teveryah, the hot springs at Teveryah, would heal him. The Rebbe absolutely refused to travel to Teveryah for therapeutic purposes.

When asked why he was so reluctant to take the trip, he explained, “When I announce that I am leaving, a crowd of chassidim will gather on the day of my journey to gezegen zich, say goodbye to me. When I return, they will come again, gather and wait in line to welcome me home. It is not worth it for me to take leave of my chassidim if this is what is involved. I cannot put my chassidim through such an “ordeal.” When they convinced the Rebbe that they would see to it that no one would “alter his schedule,” he acquiesced to go.

Ve'im Zevach Shlamim Korban - If his offering is a feast peace-offering. (3:1)

A Korban Shelamim is unique in that it is self-motivated, brought voluntarily, because a person has been moved to express his gratitude to Hashem for favors granted, and to enhance his closeness with Him. Shelamim is derived from shaleim, wholeness, perfection and shalom, peace. It increases good will, since so many people – the Kohanim, the family and friends of the donor – participate in its consumption. Ramban focuses on the relationship of the Shelamim with sheleimus, wholeness. He observes that the donor who offers a Shelamim is doing so freely, not to atone for an infraction on his part. He is a person who seeks spiritual growth on a positive trajectory, not because he is running away, but because he is surging forward.

In way of explanation, I will digress with a story and elaborate afterwards. The Holocaust was a devastating cataclysmic tragedy during which six million of our brothers and sisters were systematically murdered – their only “offense” being their religion – leaving its survivors traumatized for life, some physically and others spiritually. The following story, related by Rabbi Elimelech Biderman, Shlita, is about one such Yid who was observant prior to the war’s outbreak and, although he survived physically, he became a victim of the spiritual questions he had after the war.

He arrived in America, a young, broken survivor, seeking to distance himself as much as possible from the communities that were home to organized Jewish religious observance. After his experiences, he sought distance between himself and Judaism. He moved to a small village in southern United States, married a like-minded third generation biologically Jewish American, and together they raised their only child, a wonderful young boy, happy, inquisitive and totally oblivious to the religion of his

ancestors. Despite his father's antagonistic relationship to religious observance, when his son approached his thirteenth year, the father told him that, for a Jewish boy, his thirteenth birthday holds unique significance as a rite of passage. Thus, his father, who was by now a prosperous businessman, wanted him to pick out a present of his liking; money was no object. The problem was that the village where they lived was so far off the beaten path that they did not even have a "dollar store."

Father and son drove to the closest city, where they could visit its shops and select a suitable gift of his son's liking. Money was not an issue, but the boy was not the usual spoiled, American boy who only sought electronic diversions which lack substance. He was a child whose emotions went beyond the puerile, shallow games and toys that excite the unsophisticated mind. When they passed a Judaica store, the boy suddenly became enthusiastic and wanted to go in. He could not see enough. He had questions about everything – from books to Judaica. He was curious concerning the tradition beyond the religious objects that he saw. His father made every attempt to convince him to leave the store that sold religious "antiques," tributes to a no longer vibrant religion. The father was ill at ease, anxious that his son was expressing an interest in Judaism.

Suddenly, his son feasted his eyes on a clay Chanukah menorah. It was old, but, by the intricate artwork, it was evident that its creator had put his heart and soul into its conception. "This is what I want!" the boy excitedly informed his father. "I will buy you anything but that," the father countered. His son pleaded with him, "I did not ask for anything from the previous stores. I finally found something that I like and want. Please, let me have it."

The father asked the storekeeper to tell them the menorah's history. "This precious menorah," the man began, "was discovered in a concentration camp. Apparently, it was made by an inmate, concealed from the eyes of the SS guards. This menorah was to illuminate the darkened lives of the Jewish inmates." When the boy heard the story, he wanted the menorah even more. His father relented and purchased it. The boy spent hours staring at the menorah, going over its intricacies, imagining the danger and sacrifice experienced by the inmate who risked his life to make it. As Chanukah loomed closer on the Jewish calendar, the son told his father that he would like to light the menorah in memory of its creator. Unfortunately, as he was carrying the menorah to its honored place on the table, it slipped from his hands, fell on the ground and broke into many pieces.

When the father saw how distraught his son was, he offered to help him glue it back together. As they worked on the menorah, a small yellow piece of paper fell out of one of the hollow branches which the father picked up, read and promptly fainted. When he was revived he explained, "This paper has a message written in Yiddish that related the story of its creator and his purpose in making the menorah. He wrote, 'I am forced to work fourteen hours a day. The work is backbreaking, but, at the end of the day, rather than go to sleep, I abstain from sleep and instead devote myself to my labor of love – to make this little menorah. In a few months it will be Chanukah, and, if I am still alive, I will light the menorah. If Heaven-forbid, I do not survive this misery, I ask that whoever finds it light the candles on Chanukah, and this way my neshamah, soul, will have an aliyah, spiritual elevation. The letter is signed...' and the father read the name. It was his name! He had made the menorah years earlier during the Holocaust. With Hashgachah Pratis, Divine Providence, it had returned home.

The story ends on a bittersweet note. The father never ended up doing teshuvah. Nonetheless, the story produced an emotional tug on the son's heart which became stronger until he eventually did teshuvah, became fully observant, and raised a beautiful, frum, observant family, a credit to Klal Yisrael. I digressed from the original dvar Torah, because I was troubled about the story's ending: Why did the father not return? He saw clear, unequivocal Hashgachah Pratis. For what more could he ask? Indeed, the story had a good ending in the fact that his legacy was preserved through his son, but I wonder what prevented him from returning. I think the answer may well be gleaned from the Ramban's understanding of the Korban Shelamim. There seem to be two variant approaches towards serving Hashem: the positive, wholesome approach employed by the one who offers a Korban Shelamim, and the guilt-ridden manner in which one brings a Korban Chatas, sin-offering.

I think that these variant approaches, likewise, break down into the manner and reason one does teshuvah and continues on to become a fully observant member of Klal Yisrael. Part of the baal teshuvah's struggle is to erase the past, to see to it that his previous life does not come to haunt him. Teshuvah, return, gives new and exciting positive meaning to life, but it also casts a shadow of disapproval, a harsh light, on the past. The residue of the past often surfaces, unless one breaks his ties, not out of anger, but out of a positive change of direction. Penitence leads to atonement and absolution, which, in effect, is the expunging of one's sin, allowing the baal teshuvah to sort of become reborn. Teshuvah, thus, has two essential phases: disengagement from the past, followed by rebirth. The process takes as long as the baal teshuvah allows it to be drawn out. As long as he hides in shame, anger, weakness, the process will remain negative; the joy of rebirth will not begin. Some people, like the father who made the menorah,

cannot make that break with the past. This man experienced unspeakable suffering, which left him superficially angry at his religion, but essentially angry at himself. This emotional negativity did not allow him to turn the corner, to act positively, to alter his life's trajectory. He feared his son's gravitation to observance, because he knew it would awaken within him feelings that would haunt him. He loathed himself for what he had become, but he was not sufficiently at peace with himself to extricate himself from these feelings. Without shalom, peace of mind, he could have no shleimus. The Korban Shelamim is the product of positive energy, positive emotions, gratitude emanating from a wholesome feeling of knowing that everything we have is good, because it comes from Hashem.

RAV AVINER

Ha-Rav answers hundreds of text message questions a day. Here's a sample:

Throwing Stones at Arabs

Q: Considering the many cases in which Arabs threw stones at Jews, may individual Jews stone Arab villages?

A: No. We are not Arabs.

Prenatal Test

Q: I'm 40 years old and pregnant. Most of the prenatal tests are very expensive. Which ones are absolutely mandatory?

A: The health insurance plans completely or partially cover the costs of the recommended tests. You can trust their experienced judgment.

Humble Behavior

Q: I don't understand the principle that whoever strives to avoid honor is honorable, whereas whoever seeks personal honor is scorned.

A: The Maharal explains that chasing honor is a negative trait, whereas striving to avoid honor is praiseworthy.

Playmobile

Q: On Shabbat may we assemble a Playmobile toy?

A: Yes, on condition that it's temporary, and that it's disassembled before Shabbat is over. The same applies to Lego and puzzles.

Winning Lottery

Q: Does winning the lottery deplete one's merits?

A: Perhaps.

Part of Divinity

Q: According to my understanding, my soul is finite. I don't comprehend how it's connected to Hashem.

A: 1. Mathematically speaking, finite numbers belong to infinity. 2. The soul isn't actually a part of the essence of Divinity per se but is illuminated by Divine light that transcends all of the worldly spheres.

Necklaces for Men

Q: May a male wear a necklace?

A: It's permissible on condition that the jewelry is obviously masculine. However, according to the teaching of Sefer Orchot Tzaddikim in the chapter outlining the importance of humble and modest behavior, it's inadvisable.

Divine Presence

Q: How do we know that Hashem is present? Please include sources above and beyond the regular teachings.

A: Your down-to-earth question requires serious ongoing study. A response in a short text message isn't enough to quench your healthy curiosity, as we're talking about a basic fundamental tenet of Judaism. Hashem governs and reigns over every single aspect of nature and creation. Rav Kook delves into these matters in his book "Be-Eekvai Ha-Tzon" in two separate articles: "Da'at HaElokim" and "Avodat Ha-Elokim". He explains there that Hashem is the Unique One and Only Creator and Master of the entire universe. Our Eternal Father and Merciful King is the Almighty Power and Provider, Regal Judge, Legislator, Single Orchestrator, Redeemer, Provider, All Encompassing Epitome of Perfection and Purity.

Child's Money

Q: When a very young child, unfamiliar with monetary dealings, receives a gift of money, may members of his family spend it or should they save it for him?

A: The money belongs to him. It should be set aside for his future use. The family may open a bank account in his name or keep an accurate record of the spending on his behalf.

Lost and Found

Q: Are we permitted to take abandoned articles of clothing and other items left on the beach?

A: No. The owners may return to claim them.

From: Yeshivat Har Etzion's Israel Koschitzky Virtual Beit Midrash[SMTP: yhe@vbm.torah.org] Subject: Special Pesach Package

LAWS OF EREV PESACH WHICH FALLS ON SHABBAT

By RAV YOSEF ZVI RIMON

Translated by David Silverberg

INTRODUCTION: BOTTOM LINE SUMMARY OF THE HALAKHOT

"SHABBAT HA GADOL DERASHA": The "derasha" takes place on the Shabbat before Shabbat Erev Pesach, a full week before Pesach. "Viyehi No'am" is recited on this Shabbat.

THE FAST OF THE FIRSTBORN: The fast is observed on the Thursday before Pesach, and a firstborn may exempt himself from the fast by participating in a "siyum." (There may be even more room for this leniency on such a year than on regular years.)

THE SEARCH FOR CHAMETZ: One conducts the search on Thursday night, following the standard procedure.

DESTROYING THE CHAMETZ: One burns the chametz on Friday morning until the end of the fifth halakhic hour (printed in the calendars), but does not recite "kol chamira" (the declaration of renunciation). One must ensure to concentrate all the chametz he wants to keep for Shabbat and eat it with utmost care. It is preferable to leave a small amount of bread, ideally bread that does not produce crumbs, such as pita. (Some do not leave over any bread for Shabbat see below.)

WORK ON FRIDAY: As opposed to Erev Pesach on regular years, all types of activities are permissible on this Friday.

"KASHERING" UTENSILS: One may do so throughout the day on Friday. PREPARATIONS FOR THE SEDER: Optimally, one should prepare before Shabbat the lettuce, shank bone, charoset, yahrzeit candle, etc.

TERUMOT AND MA'ASROT: One must separate all terumot and ma'asrot and perform bi'ur ma'asrot before Shabbat.

SHABBAT PRAYER SERVICE: Prayers on this Shabbat should begin early and not be prolonged (nor should they be rushed). For the haftara we read "Ve arva," the standard haftara for Shabbat Ha gadol. (According to the Vilna Gaon, we read the regular haftara for the parasha of the week.)

SHABBAT MEALS: One should eat food that is kosher for Pesach in Pesach pots, preferably in disposable pans (since one may not wash pots on Shabbat). As for "lechem mishneh," one must choose between two options: 1. Egg matza is used and the berakha of "ha motzi" is recited. Ashkenazim use egg matza only for the first two meals (i.e. night and morning), as their custom prohibits the consumption of egg matza after the time when chametz becomes forbidden (i.e. the fourth hour). One should try to avoid contact between the egg matza and the Pesach utensils. If one uses egg matza for his Shabbat morning meal, he must complete it by the end of the fourth hour (approximately 9 A.M. in Israel), unless he follows the view allowing the consumption of egg matza until the tenth hour. 2. Chametz bread is used for lechem mishneh at the first two meals. One should preferably use only a small amount of bread, of a type that doesn't make crumbs. Since one must ensure that no crumbs come in contact with the Pesach utensils, one should either eat the chametz at the beginning of the meal and then properly shake out the tablecloth and garments, or use disposable dishes. One must finish eating the bread by the end of the fourth hour.

LEFTOVER CHAMETZ; "BITTUL": All consumption of chametz must conclude before the end of the fourth [halakhic] hour. Before the end of the fifth hour, one should crumble the leftover chametz and throw it into the toilet. (When dealing with a large amount of chametz, one may throw it into a public domain where there is an eruv.) Tablecloths and clothing used with chametz must be thoroughly cleaned off, and one should likewise rinse his mouth and sweep the floor. The broom should preferably be placed together with the chametz utensils. One formally renounces the chametz ("bittul") before the end of the fifth hour.

SE'UDAT SHELISSHIT: On a regular Shabbat, one should preferably eat bread for se'udat shelishit and conduct the meal after the time from which one may recite Mincha (one half hour after chatzot). On Shabbat Erev Pesach, of course, one cannot satisfy both these requirements. One must therefore choose between the following three options (while preferably reciting Mincha before se'uda shelishit): 1. One who eats egg matza after the fourth hour (most Ashkenazim are stringent in this regard) may eat se'udat shelishit at its optimal time (starting from a half hour past midday) using egg matza. (Egg matza may not, however, be eaten after the tenth hour.) 2. Those who do not eat egg matza may conduct se'uda shelishit at its proper time using meat, fish or fruit (as the Rema recommends). One may eat "kneidlech" (cooked matza

meal) and some even allow the consumption of "matza brei" (fried matza crumbs). 3. Some have the practice of following option 2 but also splitting the morning meal. They recite Birkat Ha mazon, wait a short while, and then begin a new meal with netilat yadayim and ha motzi.

PREPARATIONS ON SHABBAT: One should not conduct preparations on Shabbat for the seder, except for basic cleaning that enhances Shabbat as well. MOTZAEI SHABBAT: "Va todi'einu" is added to Shemoneh Esrei at Ma'ariv, and "Viyehi No'am" and "Ve Ata Kadosh" are omitted.

CANDLE LIGHTING: One may light candles only after reciting Ma'ariv with "Va todi'einu" or saying "Barukh ha mavdil bein kodesh le kodesh." A woman lighting candles recites "She hecheyanu" and omits this berakha over the first cup of wine at the seder.

KIDDUSH: One follows the order known by the acronym, "yaknehaz" "yayin" (blessing over the wine), "kiddush" (the standard Yom Tov text, "asher bachar banu mi kol am□"), "ner" (berakha over the havdala candle), "havdala" (the standard berakha: "ha mavdil bein kodesh le chol□"), "zeman" ("she hecheyanu"). "GA'AL YISRAEL": Most people change the text of the berakha when the seder occurs on Motza'ei Shabbat and recite, "□ ve nochal sham min ha pesachim u min ha zevachim."

Now we will follow this summary with a more detailed analysis of the laws and their source. The article is divided into three parts: things to do before Shabbat; the Shabbat meals; miscellaneous details.

PART 1: THINGS TO DO BEFORE SHABBAT

This year, Erev Pesach occurs on Shabbat a relatively rare occurrence. (The last two times were in 5754 and 5741, though in coming years this will occur more frequently: 5765 and 5768.) The infrequency of this phenomenon requires review of the relevant halakhot prior to Pesach more so than on other years. In fact, the Gemara tells of even the greatest of the Tannaim who forgot halakhot pertinent to Erev Pesach on Shabbat. The family of Beteira, who served "Nesi'im" (princes), did not remember whether or not the korban Pesach overrides the prohibitions of Shabbat until Hillel reminded them that it in fact does (Pesachim 66a).[1] Furthermore, some authorities maintain that we do not decide halakha regarding Erev Pesach on Shabbat based on widespread custom, since there cannot exist a "common practice" regarding such a rare phenomenon occurring only every several years (Tel Talpiyot, vol. 4, p.65).

THE FAST OF THE FIRSTBORN

At first glance, it would seem that the firstborn should observe this annual fast on the Thursday preceding Shabbat Erev Pesach. The rationale for such a ruling emerges from the Gemara (Megilla 5a). The mishna had established that when Tisha Be Av falls on Shabbat, we delay the fast until Sunday. The Gemara explains that we specifically delay the fast rather than observing it earlier, on Thursday, because of the impropriety of commemorating calamity earlier than usual. It would seem, therefore, that only fasts commemorating tragedy must not take place earlier than the regularly scheduled date. Other fasts, by contrast, are observed on Thursday. (The Terumat Ha deshen takes this position in chap. 110.) Indeed, when the thirteenth of Adar generally observed as Ta'anit Esther falls on Shabbat, we move the fast up to Thursday. Accordingly, it would seem, when Erev Pesach falls on Shabbat, the firstborn should observe their fast on Thursday.

However, it remains unclear whether the fast should be transferred to Thursday or Friday. As mentioned, when Ta'anit Esther falls on Shabbat we fast on Thursday, for once we must already conduct the fast earlier, we prefer to do so on Thursday. Why do we seek to avoid fasting on Friday? An explanation cited in the name of Mahram Provencal (Birkei Yosef, 470:4; Divrei Ze'ev 19:21) claims that the recitation of Selichot (added to the prayer service on fast days) would disrupt the preparations for Shabbat. The Maggid Mishneh (Hilkhot Ta'anivot 5:5), by contrast, explains that entering Shabbat hungry after a full day of fasting undermines the honor of Shabbat. A practical difference between these two reasons arises when the fast of the firstborn, on which no Selichot are recited, falls on Shabbat. Indeed, according to Maharam Provencal the firstborn observe the fast on such a year on Friday. However, the majority of authorities ruled that the fast be moved to Thursday, since the explanation of the Maggid Mishneh is viewed as authoritative, appearing already in the Midrash Tanchuma (Bereishit 83), which mentions explicitly that the firstborns fast on Thursday. The Rema adopts this ruling, as well (480:2).

We find yet a third position, as well, one advanced by the Agur (771) and mentioned in the Terumat Ha deshen (126). The Yerushalmi (Pesachim, chap. 4) records Rebbi's practice to refrain from eating on Erev Pesach, and questions whether he did so because he was a firstborn or to ensure an appetite for the consumption of matza at the seder. Presumably, the Gemara could have resolved this issue easily

by observing the sage's conduct on Erev Pesach when it occurred on Shabbat. If he fasted (on Thursday or Friday), then he obviously adopted this practice because he was firstborn, rather than to preserve his appetite. From the Yerushalmi's apparent refusal to determine the basis of Rabbi's conduct in this manner, we may deduce that firstborns do not fast at all when Erev Pesach falls on Shabbat.

However, the Terumat Ha deshen himself rejects this proof by raising the possibility that such a situation simply never arose in Rabbi's lifetime.[2]

The Shulchan Arukh (470:2) cites the first two views, calling for the observance of the fast of the firstborn on Thursday or Friday, respectively. According to the accepted principles of the Shulchan Arukh's rulings, he personally concurs with the second view, to fast on Friday (see Shut Yabi'a Omer, vol. 6, C.M. 2). The Rema, however, comments that one should follow the first position, which schedules the fast on Thursday.

May a firstborn, on such a year, conduct a "siyum" (celebration of the completion of a masekhet), or participate in that of another, in order to exempt himself from this fast, as is commonly practiced on other years? One of the reasons for the general leniency in this regard allowing a "siyum" to exempt firstborns in attendance from fasting involves our concern of the possible adverse effects of fasting on that night's seder. Rav Tzvi Pesach Frank, in Mikra'ei Kodesh (vol. 2, 23), views this rationale as a basis for not allowing this leniency when Erev Pesach falls on Shabbat and the fast thus takes place on Thursday two full days prior to the seder on Saturday night.

Nevertheless, it would seem that one may act leniently in this regard, since other reasons exist for exemption through attendance at a siyum.[3] (What's more, as we have seen, some authorities hold that the firstborns do not fast at all when Erev Pesach falls on Shabbat.) This decision is mentioned specifically by Rav Sonenfeld (Seder Erev Pesach She chal Be Shabbat, 1), Rav Moshe Feinstein (Iggerot Moshe O.C. 4:69), and Rav Ovadia Yosef (Yechaveh Da'at vol. 6, 91). [The Yechaveh Da'at adds that a father who generally fasts on behalf of his eldest son need not fast on such a year.] We may infer a similar conclusion from the Mishna Berura and other Acharonim who make no mention of such a stringency when Erev Pesach falls on Shabbat.

Thus, as for the final halakha, the firstborns observe their annual fast this year on the Thursday before Pesach, and they may, as in other years, exempt themselves through participation in a "siyum."

BEDIKAT CHAMETZ

We generally conduct bedikat chametz (final check for chametz) on the night of the fourteenth of Nissan, which occurs this year on Friday night. As such, we may not carry around a candle and hence cannot perform the bedika at the usual time. Therefore, as emerges from the Gemara (Pesachim 49a) and ruled explicitly by the Rambam (3:3) and Shulchan Arukh (444:1), we conduct the bedika on Thursday night (the night of the thirteenth).

The procedure of the bedika follows that of other years: the recitation of the berakha "al bi'ur chametz" prior to the bedika, and the formal renunciation of the chametz ("bittul") afterward (Taz, 444:7; Mishna Berura 444:1).

One who failed to perform the bedika on Thursday night does so on Friday morning (with a berakha Mishna Berura 193:22). If he neglected to conduct the bedika on Friday morning, too, then he does so on Motzai Shabbat (the night of the Seder). However, if he renounced the chametz on Shabbat morning before the fifth [halakhic] hour of the day, then he checks for chametz on Motzai Yom Tov (Mishna Berura 435:3 and Sha'ar Ha tziyun).[4]

"BI'UR" AND "BITTUL": DESTROYING AND RENOUNCING THE CHAMETZ

The chametz must be destroyed on Friday morning. Although generally one must destroy his chametz before the fifth hour on Erev Pesach, it would appear that this year one may do so the entire day, as no prohibition exists regarding the possession or consumption of chametz throughout the day on Friday (the thirteenth of Nissan). Nevertheless, the Mordekhai (end of Pesachim, chap. 1) cites Rashi as applying the fifth hour deadline in our case, too, as a safeguard to prevent errors in other years. Accordingly, the Shulchan Arukh (444:2) deems this practice preferable.[5]

One does not declare renunciation of ownership of the chametz ("bittul") after destroying it on Friday, since he will do so on Shabbat itself (Maharil, Hilkhot Bedikat Chametz; Rema 444:2). Since one must leave over some chametz for use on Shabbat, he must perform the "bittul" on Shabbat in any event (Mishna Berura, 10). The "bittul" must take place before the end of the fifth hour on Shabbat morning.

WORK ON FRIDAY

The mishna (Pesachim 50a) establishes a prohibition against certain types of work on Erev Pesach after "chatzot" (midday). Rashi explains, "[This prohibition is] in order that one not preoccupy himself with work and thereby forget the

destruction of his chametz, slaughtering the korban pesach and the preparation of matza□" The Yerushalmi (Pesachim 4:1), however, presents a different reason: it is improper for one to involve himself in work during the time designated for the offering of the korban pesach.

A practical difference between these two reasons arises when Erev Pesach occurs on Shabbat: may one, in such a year, perform these forbidden activities on Friday? According to Rashi, here, too, the concern exists that one may neglect the responsibilities of destroying the chametz, etc. If, however, we adopt the reasoning of the Yerushalmi, no prohibition would apply on Friday afternoon, a full day prior to the time of the korban pesach.

The halakha follows the position of the Yerushalmi, as most Rishonim adopt this view (Tosafot, Rosh, Ran and Rambam). One may therefore engage in work on Friday afternoon in our case. (Regarding the general guidelines concerning activity on Friday afternoon, see Shulchan Arukh O.C. 251:1 and Mishna Berura.) Indeed, this is the ruling of the Bi'ur Halakha (468:1).

FOOTNOTES TO PART 1:

[1] We should note, however, that in those days many more years may have passed in between the occurrences of Erev Pesach on Shabbat (more so than today), since the calendar system depended upon visual confirmation of the new moon, rather than the fixed calendar used today. (The Terumat Ha deshen 126 makes a similar note regarding the Yerushalmi in Pesachim chap. 4, mentioned later.)

[2] Rav Tzvi Pesach Frank (Mikra'ei Kodesh, Pesach, vol. 2, 23) suggests a different method of negating the proof from this Yerushalmi, based on a gemara (Megilla 5b) regarding Tisha Be Av. While the conventional view calls for the observance of the fast on Sunday should Tisha Be Av fall on Shabbat, the Gemara cites the dissenting view of Rabbi that in such a year Tisha Be Av is not observed at all. It stands to reason, then, that even if Rabbi had been a firstborn he would not have observed the fast of the firstborn in a year when Erev Pesach occurred on Shabbat. The Yerushalmi therefore could not resolve its question based on Rabbi's conduct in such a year; either way, he would not have fasted. Accordingly, this Yerushalmi has no bearing on practical halakha, which follows the majority view of the Chakhamim, against that of Rabbi.

However, Rav Frank continues by raising several reasons to dispute such an argument. Firstly, Rabbi's position regarding a fast whose date falls on Shabbat may apply only to those fasts that we would have to delay to Sunday (as implied by Rabbi's wording in Masekhet Megilla: "Since it is delayed, it is delayed [entirely]"). When, however, we may observe the fast earlier, he may agree to the fast's observance. Additionally, it stands to reason that in practice Rabbi followed the majority position, rather than his own, for according to the Yerushalmi, a single authority who dissents from the majority on a given issue should personally practice in accordance with his disputants. Rav Frank mentions other reasons, as well, to dispute his suggestion.

[3] An additional basis for leniency arises from the somewhat questionable source of this fast to begin with. Although the Yerushalmi (Pesachim 10:1), the Talmudic source of the fast, says that "the firstborn fast [mitanim]" on Erev Pesach, other versions of the text read, "the firstborn indulge [mitangim]" on Erev Pesach. (See Responso Minchat Yitzchak, vol. 2, 93.)

As for the fast of the firstborn on other years, some authorities require the firstborns to fast (Noda Bi Yehuda, Mahadura Tinyana Kuntras Acharon, 354; Chatam Sofer cited in Shut Maharitatz 52; and Rav Kook). Many others, however, rule that firstborns do not have to fast if they attend a seudat mitzva (e.g. a siyum); see Yabi'a Omer, vol. 4, O.C. 13; Iggerot Moshe, O.C. vol. 1, 157; Minchat Yitzchak, vol. 2, 93; Mishna Berura 470:10.

[4] At first glance, one may argue for the permissibility of conducting the bedika on Shabbat itself. Since generally halakha states that a "positive commandment" ("mitzvat ase") overrides a "negative commandment" ("lo ta'aseh"), the same principle may call for rabbinically ordained mitzvot, such as bedikat chametz, to override rabbinic prohibitions, such as carrying candles on Shabbat (see, for example, Magen Avraham 446:2, citing the Shela). However, the Sedei Chemed (Ma'arekhet Chametz U matza 5:14) presents several refutations of this argument, including the fact that one has yet to perform the mitzva of bedika immediately upon lifting the candle, as well as the unique, stringent status of moving forbidden objects on Shabbat.

[5] However, the Shulchan Arukh mentions the preferred practice of destroying before "chatzot" (midday), not before the fifth hour. The Maharsham (in Da'at Torah) explains that the stringency of observing the deadline even in such a year is meant to safeguard only the Biblical requirement, that one destroy the chametz prior to midday, but not the additional rabbinic ordinance that one do so prior to the fifth hour. Therefore, when burning the chametz on Friday when Erev Pesach falls on Shabbat, one need ensure only to destroy the chametz before midday. Nevertheless, we mentioned the fifth hour deadline, rather than "chatzot," since this is how most later authorities understood the intention of the Shulchan Arukh (Mishna Berura 444:9; "Lu'ach Eretz Yisrael" by Rav Tuketchinsky).

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Erev Pesach that Falls out on Shabbat Part 2: The First Two Shabbat Meals
Rav Yosef Zvi Rimon

On Shabbat, we are required to eat lechem mishne (two loaves of bread) at each meal. Theoretically, when Erev Pesach falls out on Shabbat, we can fulfill this requirement in two different ways: with regular chametz bread, or with matza. We shall first examine the halakhic problems associated with each option, and afterwards suggest ways to overcome these problems.

EATING MATZA

The Yerushalmi (Pesachim 10:1) writes that one is forbidden to eat matza on Erev Pesach:

One who eats matza on Erev Pesach is likened to one who has relations with his fiancée in his father-in-law's house [i.e., he cannot restrain his desire for matza until the evening]. And one who has relations with his fiancée in his father-in-law's house is liable for flogging.

This Yerushalmi is codified by the Rishonim,[1] and brought down as the halakha by the Rambam (Hilkhot Chametz u-Matza 2:12) and the Shulchan Arukh (471). The Rishonim explain the prohibition in various ways. The Meiri (Pesachim 13a) writes that the Sages prohibited the eating of matza on Erev Pesach in order to ensure that a person will eat the obligatory matza later that night with an appetite. The Rambam (ibid.) writes that the prohibition was intended to make the eating of matza at night more distinctive. The Roke'ach explains that matza is likened to the paschal offering, which could only be eaten at night.

The Rishonim disagree when precisely one is forbidden to eat matza: According to the Orchot Chayyim (Chametz u-Matza 114, citing an anonymous source; and so also is it implied by the Ramban, Milkhamot Ha-Shem, Pesachim, end of chap. 3), eating matza is forbidden already on the night of Erev Pesach, the fourteenth of Nisan. Most of the Rishonim (Rif, Rambam, Ramban [elsewhere], and others), however, understand that the prohibition does not begin at night, but only on the morning of Erev Pesach.

An interesting proof supporting the majority position is brought in the name of Rav Chayyim Brisker (cited in the book Eish Tamid)[2]: The Mishna states that "on all other nights we eat chametz and matza," implying that on no night of the year is the eating of matza forbidden.

What time in the morning does the prohibition begin? According to the Ramban (Pesachim 50a), the prohibition begins at *alot ha-shachar* (the morning dawn). The Ba'al ha-Ma'or, on the other hand, maintains that the prohibition only begins at the time that chametz is forbidden (a similar position is found in the Rosh, chap. 3, sec. 7). The Rema (471:2) rules that the prohibition begins at dawn. The Mishna Berura (471, no. 12) accepts this ruling, and adds that there are those who are accustomed to refrain from eating matza already from Rosh Chodesh Nisan. In light of this prohibition, it is clearly problematic to eat matza at the Shabbat meal[3] when Erev Pesach falls out on Shabbat.[4]

EATING CHAMETZ

Eating chametz on this Shabbat raises several problems, some halakhic in nature, others purely practical:

If a person fails to finish all of his chametz, he must find a way to dispose of what is left over. Similarly, utmost care is required to ensure that no crumbs are left anywhere in the house.

If a person cooked food for Shabbat in a chametz utensil, he must find a way to warm it up without rendering the stove or hotplate chametz.

Rinsing the chametz pots on Shabbat is forbidden, for they are no longer needed for Shabbat (see Mishna Berura 444:11).

The dishes cannot be washed, for the sink has already been made kosher for Pesach.

A particular problem arises regarding *se'uda shelishit*, the third meal eaten on Shabbat, for many authorities maintain that one cannot fulfill this requirement before *mincha* time, by which point the prohibition against the consumption of chametz has already begun.

In light of the various problems mentioned above, it is preferable that when Erev Pesach falls out on Shabbat, one not prepare food in or eat on chametz utensils (Maharil – Mishna Berura 444, no. 12). It is best to use disposable utensils, especially disposable cooking tins (we shall mention this again below in the context of the solutions). If someone insists on eating on chametz utensils, he may do as follows:

Warming the food: One should try to heat up the food on a stovetop or hotplate that will not be used for Pesach. If this is impossible, the hotplate should be covered with thick aluminum foil (or several layers of regular foil), and care should be taken that no liquids spill onto the hotplate itself.

Washing the pots and the dishes: There is no permissible way to wash dishes that will no longer be needed on Shabbat. However, the level of cleaning that is necessary to avoid violating the prohibition against chametz is permitted (Mishna Berura 444, no. 14). Hence, the dishes may be wiped with a paper towel, and whatever does not come off may be removed with a small amount of water (Rema 444:3). The utensils that are still needed for Shabbat itself may be washed. It goes without saying that this may not be done in a sink that was made kosher for Pesach, but only in a sink that will not be used to wash Pesach utensils, e.g., the bathroom sink.

Chametz leftovers: We shall deal with this problem below.

THE SOLUTIONS

As stated above, it is preferable not to eat a chametz meal when Erev Pesach falls out on Shabbat. In order to overcome the problem of *lechem mishne*, one may choose one of the following two solutions:

SOLUTION #1: EGG MATZA

The first option calls for the destruction of all chametz before Shabbat and using only Pesach dishes on Shabbat. The requirement of "*lechem mishne*" may be fulfilled with egg matza. (We shall use the term "egg matza" interchangeably with the Hebrew expression, "*matza ashira*," which refers to matza kneaded with wine, fruit juice, oil, honey or eggs.) To understand this option, we must first examine the status of matza ashira.

The Gemara in Pesachim (35a-36a) deals with matza kneaded with wine, oil, or honey. (The same law applies to matza kneaded with other fruit juices [Rambam, Hilkhot Chametz u-Matza 5:2] or eggs [Rabbenu Tam in Tosafot, ad loc.; Rosh and Ran, ad loc.; and others].) The Rishonim take two opposite views as to whether or not fruit juice renders dough chametz. Rabbenu Tam (Tosafot, Pesachim 35b), the Rosh (ad loc.), the Rambam (Hilkhot Chametz u-Matza 5:2), and others write that fruit juice without water does not render dough chametz at all. Even if the dough rises, it may still be eaten. Rashi (Pesachim 36a, s.v. *ein lashin*) and Ra'avad (Hilkhot Chametz u-Matza 5:2), on the other hand, rule that fruit juice does in fact render dough chametz, and therefore matza kneaded with it is forbidden.[5]

The Shulchan Arukh (462:1) rules leniently that fruit juice without water does not turn dough into chametz at all.

Fruit juice without water does not render dough chametz at all. One is, therefore, permitted to eat matza kneaded with fruit juice on Pesach, even if the dough sat [unbaked] all day long.

The Rema (462:4) disagrees, ruling that matza should not be kneaded with fruit juice:

In these countries, we are not accustomed to knead [matza] with fruit juice.... One should not deviate [from common practice], unless there is a dire need, for the sake of a sick or elderly person who needs it.

Ideally (*lekhatchila*), we take into account the position of those posekim who maintain that fruit juice alone renders dough chametz, and even hastens the process. And we are also concerned that perhaps a small amount of water may have become mixed into the fruit juice, and all agree that [such a mixture] turns dough into chametz.[6]

The Bet Yosef (462) brings in the name of the Kolbo another reason for the prohibition of egg matza, even though he himself does not accept the stringency: The Kolbo (no. 48, p. 10c) writes that it is customary not to prepare matza ashira at all on the first two days [of Pesach], so that one not confuse it [with regular matza], and eat of it for the obligatory portion of matza [eaten at the seder]. The Levush (ad loc.) also cites this reason that one may not eat egg matza, so as not to come by mistake to eat of it for the obligatory portion of matza.

In any event, it is clearly permissible to eat egg matza on the fourteenth of Nisan before the end of the fourth hour, for at that time, even full-fledged chametz may be eaten.[7] Whether or not one is permitted to eat egg matza even after the fourth hour seems to depend on the aforementioned reasons: If the prohibition to eat egg matza on Pesach stems from the concern that a person will come to eat of it for the obligatory portion of matza, there is no room to forbid the eating of egg matza before Pesach, even on the afternoon of the fourteenth of Nisan. If, however, the concern is that such matza is regarded as chametz – whether because of a concern that water may have become mixed into the fruit juice, or because of a concern for Rashi's position – there is room to forbid egg matza from the time of *bi'ur* chametz.

The Noda Biyehuda (Responso, mahadura kama, Orach Chayyim, no. 21) writes that even if we are concerned about the position of Rashi – the eating of egg matza should not be forbidden before Pesach, for even according to him, egg matza is only chametz nuksh (lit., "hardened chametz"), which does not carry the penalty of excision (*karet*), and therefore there is no room for stringency except on Pesach itself (thus also writes Responso Avnei Nezer, Orach Chayyim, II, no. 377). And indeed, the simple reading of the Shulchan Arukh and the Rema implies that egg matza may be eaten on the fourteenth of Nisan, even after the time of *bi'ur* chametz. The Shulchan Arukh writes that it is permissible to eat egg matza on the fourteenth of Nisan until the beginning of the tenth hour.[8] The Rema implies that he too agrees with this ruling:

And before the tenth hour, one is permitted to eat of matza ashira.

Rema: But the matza with which one fulfills his obligation at night, may not be eaten the entire day of the fourteenth.

According to the Shulchan Arukh, one is certainly permitted to eat egg matza on Erev Pesach, for he permits it even on Pesach itself. Even according to the Rema, it would seem that the prohibition is limited to Pesach itself, for only then is there concern that a person will mistakenly eat of it for his obligatory portion of matza, and only then is there room for concern about the position of Rashi, as argued by the Noda Biyehuda.

The Shulchan Arukh (444:1) writes that se'uda shelishit should be eaten after mincha time (because se'uda shelishit cannot be eaten earlier), but before the tenth hour, for the eating of pat (i.e., any bread-like food) is forbidden from the tenth hour (so as to eat the matza at the seder with appetite). The Rema notes that we are not accustomed to eat egg matza:

When the fourteenth [of Nisan] falls out on Shabbat... The time [to eat] se'uda shelishit is after mincha. At that time one may eat neither matza nor chametz, but [only] matza ashira. The meal must be eaten before the tenth hour.

Rema: In these countries, where we are not accustomed to eat matza ashira, (as is explained below 462:4 in the Rema) - one should fulfill se'uda shelishit with fruits or meat and fish.

If the Rema permits the eating of egg matza until the tenth hour (as he implies in 461), why does he forbid eating it at se'uda shelishit? The Arukh ha-Shulchan tries to reconcile this contradiction (444:5):

It seems that [the Rema] does not mean that even on Erev Pesach one should not eat matza ashira in accordance with the custom, for there is no reason in that.

Rather, he means that since we are accustomed not to eat matza ashira on Pesach, we do not bake matza ashira. And to bake it only for se'uda shelishit, people do not exert themselves for such a small amount....

According to the Arukh ha-Shulchan, even the Rema allows the eating of egg matza until the tenth hour, for "there is no reason" for stringency. The Rema writes that one should fulfill se'uda shelishit with fruits or meat for a purely technical reason: As a rule, Ashkenazi Jews do not have matza ashira in their houses, for they are accustomed not to eat it on Pesach. Thus, it follows that if a person has egg matza in his house, he is permitted to eat of it at se'uda shelishit, even according to the Rema (this is also the position of Chok Ya'akov, 444, 1).

According to the Noda Biyehuda, the Rema disagrees with the Shulchan Arukh and permits matza ashira only until midday (an hour after the end of the time of bi'ur chametz):[9]

In truth, I am very astonished by the Rema, for in any event, nobody maintains that there is a biblical prohibition with respect to chametz nükshe on Erev Pesach. Why then was he concerned in a matter that is forbidden only by rabbinic decree for an opinion of a single authority, i.e., Rashi, against the majority of early posekim? Were it not for the fact that the leading halakhic authority, that is, the Rema, already issued a prohibition even on Erev Pesach, I would allow matza ashira all day long on Erev Pesach. In any case, I rule that until midday, even the Rema agrees that matza ashira is permitted... According to what I have written, it is understandable, for the time of se'uda shelishit is after midday; therefore, the Rema ruled stringently even about matza ashira... In my humble opinion, therefore, the conclusion seems to be that until midday, it is certainly permissible to eat matza ashira on Erev Pesach. Any authority who issues an allowance for the entire day - has not lost anything if it is for some need, even if not for the sake of a sick or elderly person.

The Shulchan Arukh ha-Rav writes that we are accustomed not to eat matza ashira after the beginning of the fifth hour. The Sha'ar ha-Tziyun (444, 1) also implies that matza ashira should not be eaten even before the tenth hour (the fact that he does not specify otherwise implies that the prohibition begins at the beginning of the fifth hour). A similar ruling is found in Responsa Iggerot Moshe (Orach Chayyim, I, 155), that it is our custom not to eat matza ashira once the time has arrived that chametz may no longer be eaten.

In practice, since many Acharonim forbid the eating of matza ashira once the time has arrived that chametz may no longer be eaten, it would seem to be preferable to use egg matza for lechem mishne only for the first two Shabbat meals.

THE BERAKHA FOR MATZA ASHIRA

Matza ashira falls into the category of "pat ha-ba be-kisnin" - bread made from dough kneaded with ingredients other than just flour and water. The Shulchan Arukh (168:7) rules that the ha-motzi berakha is recited over pat ha-ba be-kisnin, only if one appoints a meal over it (kevi'at se'uda). There are various different opinions regarding how much food constitutes an appointed meal. Some write that it is food in the amount of three or four eggs (224 cc). Others rule that it is food in the amount that people regularly eat at a meal (see Mishna Berura 168, no. 24). The Magen Avraham (168, no. 13, cited in the aforementioned Mishna Berura) maintains that even if a person eats of pat ha-ba be-kisnin less than the amount

required for an appointed meal, but together with the rest of the food eaten at the meal, he eats enough for kevi'at se'uda, he recites ha-motzi and birkat ha-mazon. In compliance with the ruling of the Shulchan Arukh, it seems that a person should eat enough egg matza for kevi'at se'uda (according to the Magen Avraham, it suffices if the egg matza together with the rest of the food eaten at the meal satisfy that amount). The Maharach Or Zaru'a, however, writes as follows (Responsa Maharach Or Zaru'a, no. 71):

Shabbat fixes a meal, for [on Shabbat] even incidental eating is considered a fixed meal with respect to tithes. It seems then that the same applies to pat ha-ba be-kisnin... any amount eaten on Shabbat is considered a fixed meal, as with respect to tithes.

In other words, even if a person eats produce on Shabbat in a merely incidental manner, he must set aside terumot and ma'asrot, for Shabbat gives his eating importance and turns it into a fixed meal which obligates the setting aside of terumot and ma'asrot. Similarly, writes the Maharach Or Zaru'a, if a person eats pat ha-ba be-kisnin on Shabbat, he must recite ha-motzi and birkat ha-mazon, because Shabbat gives the eating special importance and establishes it as an appointed meal.

The Sha'arei Teshuva (168, 9) cites Responsa Ginat Veradim (kelal 2, no. 11), which disagrees with the Maharach Or Zaru'a:

There is no difference between Shabbat and the rest of the week. The Birkei Yosef agrees with me, and he writes that this is the common practice.

It would seem that when Erev Pesach falls out on Shabbat, the berakha recited over the matza ashira should depend on this dispute: "ha-motzi" according to the Maharach Or Zaru'a, and "borei minei mezonot" according to the Ginat Veradim. Rav Moshe Feinstein argues that in any event, one should recite the ha-motzi blessing over the matza ashira eaten at one of the obligatory Shabbat meals (Responsa Iggerot Moshe, Orach Chayyim, I, no. 155):

Even though the Halakha is not in accordance with them when there is no appointed meal, nevertheless when there is an appointed meal as in the case of the obligatory Shabbat meals, one must certainly recite ha-motzi and the three blessings, as it is explicitly stated that this is the way one should act.

Yet another argument may be advanced: Many Acharonim imply that the definition of bread depends on common custom (see the formulation of the Bet Yosef in sec. 168, "the matter does not depend on what is called 'bread'"; Ma'amar Mordekhai cited in the Bei'ur Halakha, 168; and Arukh ha-Shulchan 168, 5). For this reason, some Sefardim recite the ha-motzi blessing on matza only on Pesach, for only then does it substitute for bread, but not during the rest of the year.[10] According to this argument, it may very well be that when Erev Pesach falls out on Shabbat, and it is the common practice to eat matza ashira in place of bread - the ha-motzi blessing should be recited (a similar argument was put forward by Rav Chayyim Palagi, in his Responsa Lev Chayyim, II, no. 88). As for the Halakha, it follows from Minhagei Maharil (Hilkhos Shabbat ha-Gadol ve-Erev Pesach) that one should recite the "bore minei mezonot" blessing on matza ashira even when Erev Pesach falls out on Shabbat. This is also the opinion of Rav Ovadia Yosef (Responsa Yechave Da'at, I, no. 91). On the other hand, Responsa ha-Radbaz (I, no. 489) states explicitly that one who eats matza ashira on this Shabbat recites the ha-motzi blessing. This is also the ruling of Responsa Iggerot Moshe (Orach Chayyim, I, 155), and thus it also follows from the Mishna Berura (471, no. 21).[11] It should be added that together with the other foods served at the meal, we generally eat in the amount of an appointed meal. Thus there is an additional reason for reciting the ha-motzi blessing, and this seems to be correct way to act.

In practice, when Erev Pesach falls out on Shabbat, there are those who are accustomed to eat matza ashira in place of bread for lechem mishne during the first two meals. This is suggested by the Iggerot Moshe (Orach Chayyim, I, 155), and thus it is explicit already in the Maggid Mishne (Hilkhos Chametz u-Matza 3:3):

There are those who practice a stringency not to leave over [any chametz], but rather to eat matza ashira....

The Iggerot Moshe explains that even the Bet Yosef implies that this is the preferred solution, so as not to come to any mishaps by leaving over chametz on Shabbat, but it is impossible to require people to exert themselves and bake matza ashira:

It is therefore recommended for those who do not wish to leave over chametz on Shabbat, because they are concerned about the mishaps that may result, that they fulfill the mitzva of the [first] two meals with matza ashira. Since a person appoints Shabbat meals over them, he must recite the ha-motzi blessing and birkat ha-mazon. As it is explicit in the Bet Yosef (Orach Chayyim 444) that it is proper to do so. For he writes: "And one should not ask: Let him destroy all [his

chametz] before Shabbat, and not leave over any [chametz], and on Shabbat he can eat matza ashira! Since not everyone is capable of preparing matza ashira for all three meals, the Rabbis did not require them to do so." We see that it would have been right to enact or to impose by custom to destroy all [the chametz] before Shabbat so as not to come to a mishap if any chametz should remain, and to fulfill the mitzva of [the Shabbat] meals with matza ashira, only the Rabbis did not require us to do so. Therefore, those who wish and are able to bake matza ashira for the two meals, that is preferable. Even though the Shabbat meal requires bread over which we recite ha-motzi and birkat ha-mazon, since he eats it for the Shabbat meals which require bread, there is no appointment greater than that.

Rav Feinstein's suggestion to use matza ashira when Erev Pesach falls out on Shabbat has been accepted in many communities. One should make sure that the matza was kneaded without any water at all, or alternatively, that it was baked with all the stringencies of regular matza. One must, therefore, pay careful attention and purchase matza ashira with a very reliable hekhsher (in light of the above, it is preferable to buy matza ashira that was baked with all the stringencies of regular matza, and without letting it rise (see Sha'ar ha-Tziyun 462, no. 25, regarding Pesach itself)!

It should be noted that ideally (lekhatchila) the matza ashira should not come into contact with the Pesach dishes (Rav Shlomo Zalman Auerbach, cited in Erev Pesach she-Chal be-Shabbat, chap. 8, note 4). There is no question, however, that after the fact (bedi'eved) the dishes do not become forbidden for use on Pesach, even for those who wish to adopt stringency, for the matza ashira was cold when it came into contact with the dishes.

To summarize Solution #1: For lechem mishne we use matza ashira and recite the ha-motzi blessing. (One should be careful to buy matza ashira with a reliable hekhsher.) It is important to finish eating the matza ashira by the time that eating chametz is no longer permitted. Ideally, the matza ashira should not come into contact with Pesach utensils. One who conducts himself in this manner, may nullify his chametz already on Friday.[12]

As for the utensils, the Shabbat meal may be eaten off of Pesach dishes.

Practically speaking, it would seem to be more convenient to use disposable baking tins, and the like, as explained above.

SOLUTION #2: REGULAR BREAD

Some authorities preferred not to make use of the solution of eating matza ashira. They argued that the commonly accepted practice is not to eat matza ashira on the fourteenth of Nisan (see Kovetz mi-Beit Levi, no. 5), or that the blessing recited over matza ashira is not ha-motzi (Responsa Yechave Da'at, I, no. 91, note 12). According to these authorities, one should follow the simple reading of the Shulchan Arukh (444) that we leave over enough chametz for the two Shabbat meals, or in other words, we use bread for lechem mishne. Even if one follows this practice, it is recommended to cook all the other food in Pesach utensils. The practice of eating bread while using Pesach pots is mentioned by many posekim (Minhagei Maharil, Hilkhos Shabbat ha-Gadol; Magen Avraham 444, no. 4; Peri Megadim ad loc.; Responsa Orach Mishpat, Orach Chayyim no. 128, letter 58; Lu'ach Eretz Yisrael; see also Mishna Berura 444, no. 14). But as we wrote above, practically speaking, it is more convenient to use disposable baking tins. It is important to make sure that the bread does not come into contact with the Pesach dishes on the table. One should therefore adopt one of the following alternatives:

Bread may be eaten at the beginning of the meal (ideally, bread in the size of an egg – on account of the Shabbat meal (Shulchan Arukh 291:1), but after the fact the size of an olive suffices (Mishna Berura 639, no. 23). The table should then be cleared, with all crumbs being removed. Only then should the Pesach dishes be brought to the table. In this way, one can eat off of Pesach dishes.[13]

If one wishes to follow this practice, it is preferable that he cover the table with a disposable tablecloth, eat the bread, roll up the tablecloth, thoroughly clean himself of all crumbs, and only then bring the Pesach dishes and the food to the table. For birkat ha-mazon, it is preferable that there be bread on the table. For this, one may bring to the table a small piece of bread in a plastic bag, or else part of a piece of matza. (It is preferable not to bring a whole piece of matza to the table, for lekhatchila we do not bring a whole loaf of bread to the table for birkat ha-mazon.)[14]

One may eat off of disposable dishes, and in that way, eat chametz throughout the meal. In the morning it is recommended to eat chametz only at the beginning of the meal, so that the rest of the meal contribute to the cleaning of one's teeth (for those who do not use a toothbrush on Shabbat).

One may eat off of chametz dishes. This option is the least preferred, but someone who wishes to make use of it is permitted to do so. Even in this case, it

is preferable to heat the food in Pesach pots, for the pots may not be washed on Shabbat. Food should not be dished out directly from the Pesach pots to the chametz plates, but rather by way of another Pesach utensil between them.[15] As for washing the dishes, see above. One should make sure to cover the table on Friday in such a way that the tablecloth can be removed on Shabbat. (That is, he should not place the candlesticks on the table, or else he should put them on a tray on which there is some other article that is needed for Shabbat).

Leftover Chametz: If a person is left with chametz after his Shabbat morning meal, he must crumble it and throw it into the toilet (Mishna Berura 444, no. 21), or else douse it with bleach or some other agent that makes it inedible, or alternatively, give it to an animal which he is responsible to feed.[16] One should remember to rinse his mouth after eating chametz and also to shake out his clothing (or change them). After the meal, one should sweep the floor and also clean the broom. It is preferable to put the broom away with the chametz dishes, and use a different broom over Pesach.

It is recommended that small challot be bought for this Shabbat, so that they can be finished during the meal. It is also recommended that one buy bread that leaves a minimum of crumbs, e.g., pitas.[17]

To summarize Solution #2: For lechem mishne, we eat bread (following the plain sense of the Shulchan Arukh). Even in such a case, it is preferable to cook in Pesach pots (or in disposable baking pans), and not in chametz pots.

One may eat off of disposable dishes and thus eat chametz throughout the meal (today, when attractive disposable dishes are readily available, it is recommended to use this option, for in any event, the dishes cannot be washed on Shabbat for the seder).

Alternatively, one may eat off of Pesach dishes. In such a case, the bread should be eaten at the beginning of the meal. For birkat ha-mazon, one should place on the table a small piece of bread in a plastic bag, or else part of a piece of matza. (In such a case, it is preferable to eat the bread on a disposable tablecloth, throw out the tablecloth, shake out one's clothing, and afterwards continue with the meal. Alternatively, one may eat the bread in one room, and continue the meal in another room, and recite birkat ha-mazon in the first room, or else in the second room if he eats there a small amount of bread.)

A SOLDIER OR AN ORDINARY PERSON WHO DOES NOT HAVE BREAD OR MATZA ASHIRA

On Friday night, he can certainly eat ordinary matza, for according to the basic law, one is permitted to eat matza at that time. For the morning meal, he should prepare in advance cooked matza (the solution proposed by Rav Ovadia Yosef; see note 17). If he did not cook matza before Shabbat, he should eat matza in the amount of an egg, and rely on those who permit it. (For even those who forbid matza on the morning of Erev Pesach maintain that the prohibition is only by rabbinic decree, whereas eating bread at the Shabbat meal may be required by Torah law.) In such a situation, it may be permissible to rely on the Ravva and put the matza in a keli rishon, e.g., a pot of soup that had been removed from the fire (see Shulchan Arukh 318:5).

FOOTNOTES:

[1] a) The Tosafot Rid (Pesachim 99b), however, does not rule in accordance with this Yerushalmi.

b) We find an interesting interpretation of this Yerushalmi in the writings of Mahari Weil (Responsa, no. 193): Just as one's fiancée becomes permissible only after "sheva berakhot" (the seven blessings recited at the marriage ceremony), so does matza become permissible only after seven blessings - "ha-gefen," "mekadesh Yisrael ve-hazemanim," "she-hecheyanu," "ha-adama" (over the karpas), "al netilat yadayim," "ha-motzi," and "al akhilat matza."

[2] It should be noted that the book Eish Tamid attributes various novel ideas to Rav Chayyim, though in fact they should be ascribed to his grandson, Rabbi Joseph B. Soloveitchik.

[3] There does not seem to be a problem with eating matza at the Friday night meal. Rav Moshe Feinstein writes, however, that lekhatchila one should avoid eating matza even on Friday night (Responsa Iggerot Moshe, Orach Chayyim, no. 155).

[4] In a case of need, matza may be used as the second loaf of lechem mishne (Responsa Pri ha-Sade, II, no. 88). The matzot that a person was planning to use to fulfill the mitzva of eating matza at the seder should not be used, for they are muktze (Peri Megadim 444, Eishel Avraham, no. 1). Obviously, one must take care to prevent the matza from coming into contact with crumbs of chametz. In any event, because of the concern about chametz, it is preferable to put that piece of matza away with the chametz items at the end of the meal.

[5] It is possible that according to Rashi and Ra'avad, fruit juice renders dough chametz at the level of chametz nükshe – see Tosafot, Menachot 53b, s.v. ein. A review of the various opinions may be found in the Tur and Bet Yosef, sec. 462. We shall further clarify this position below when we discuss the view of the Noda Biyehuda.

[6] The Mishna Berura explains that the Rema permits matza ashira for a sick person in a case of dire need, only if the dough was not given a chance to rise, but rather "he must bake them immediately, for we must consider the position of Rashi" (Sha'ar Tziyun, no. 25).

[7] Some authorities expressed their reservations about eating matza ashira on the morning of the fourteenth of Nisan for another reason. The Yerushalmi (Pesachim 2:4) records a Tannaitic controversy whether or not a person fulfills the mitzva of eating matza with matza ashira. According to this, since we rule that beginning with the morning of the fourteenth, one is not permitted to eat matza that may be used for the mitzva, the eating of matza ashira should be forbidden. Nevertheless, the prevalent opinion among the posekim is that there is no need for concern, and that matza ashira may be eaten on Erev Pesach.

[8] A person is forbidden to eat any type of pat – including matza ashira – after the end of the tenth hour, in order to ensure that he will eat the obligatory matza later that night with an appetite.

[9] As was noted earlier, the Noda Biyehuda himself maintains that matza ashira may be eaten until the end of the tenth hour.

[10] For this reason it stands to reason that today even Sefardim should recite ha-motzi on sweet challa.

[11] The Mishna Berura discusses the law applying to a person who was eating matza ashira before the tenth hour, and continues his meal into the night of the seder. He argues that such a person should recite the "al akhilat matza" blessing, but not ha-motzi, because he is already in the middle of his meal. This implies that the person had recited ha-motzi over the matza ashira that he had eaten on Erev Pesach.

[12] If a person conducts himself in this manner and destroys all of his chametz before Shabbat, he may nullify his chametz already on Friday following the bi'ur, for he has no intention of eating any more chametz. It may be a good practice to recite the bittul formula once again on Shabbat.

[13] If a person has in mind when he recites the ha-motzi blessing to eat chametz in one room and continue his meal in another room, he may eat chametz in the size of an olive in the first room, continue the meal in the second room, and then return to the first room and there recite birkat ha-mazon. So too he may eat chametz in the size of an olive in the first room, eat even a small amount of chametz in the second room (Mishna Berura 184, no. 8, following the Magen Avraham: according to the Kaf ha-Chayyim, no. 10, he must eat at least the size of an olive), and then recite birkat ha-mazon in the second room where he ate his meal.

(We are trying here to overcome the following problems: 1) reciting birkat ha-mazon in the place where a person ate bread – Shulchan Arukh, 184:2; 2) if a person eats bread, and then decides not to eat any more bread, and he moves to a different room, the food that he now eats may require a new blessing, for it is no longer subordinate to the bread – Shulchan Arukh, 177:2. The suggestions made earlier in the note overcome these problems. Responsa Cheshev ha-Efod, III, no. 10, maintains that one may recite birkat ha-mazon in the second room, even if he did not eat bread there.)

[14] The Shulchan Arukh (180:2) writes that one should not bring a whole loaf because it looks as if he were bringing it for idolatrous purposes. The Mishna Berura writes (no. 4), however, that if he does not have bread on the table, he may bring even a whole loaf. Responsa ha-Radbaz (I, no. 201) also writes that one is certainly not obligated to cut up a loaf in order that he should have a partial loaf for birkat ha-mazon, but rather in such a case he may bring a full loaf.

What is the minimal size of the piece of bread? Two reasons are brought for leaving a piece of bread on the table for birkat ha-mazon:

Because the blessing must relate to some portion of the food.

So that he may give it to a poor person should he appear at that time. The Mishna Berura (Sha'ar ha-Tziyun, no. 3) writes that one should leave a piece that is "fit for giving" to a poor person. It stands to reason, however, that today when even should a poor person come, we would not give him a scrap of bread, one may leave on the table even a smaller piece (Responsa Az Nidbaru, XI, no. 46).

[15] For there must be no contact between a keli rishon of Pesach and a chametz utensil; see Peri Chadash 444, 3; Responsa Orach Mishpat, Orach Chayyim 128, 58; Kovetz mi-Beit Levi 5. The Peri Megadim (444, Eshel Avraham, no. 4), however, raises an objection to this solution, and the Eliyahu Rabba suggests waiting until the food is no longer at a temperature that causes the hand to withdraw (yad soledet bo) and only then transferring the food.

[16] a) If there is a large amount of chametz, one may renounce ownership of it and throw it into the public domain (provided, of course, that there is an eiruv). The Rishonim disagree whether or not one may renounce ownership on Shabbat: The Ramban (beginning of Pesachim) and others maintain that renouncing ownership is forbidden on Shabbat, because of the similarity between renouncing ownership and acquisition. The Meiri (Shabbat 127a) and others disagree and say that renouncing property is permitted on Shabbat. This is also the opinion of the Magen Avraham and Rabbi Akiva Eiger (Yore De'a 320, and Gilyon Maharsha, ad loc.). In our case, since we permit giving the chametz as a gift to a non-Jew on Shabbat for the purpose of bi'ur (Shulchan Arukh 444:1), it is clearly permissible to renounce ownership of the chametz (see Sedei Chemed, kelalim, ma'arekhet 5, letter 100). If, however, a person throws his chametz into a garbage bin, he may not yet have solved the problem, for the chametz is still found on property belonging to Jews. There are those who are lenient because the chametz becomes soiled in the garbage bin (see Responsa Minchat Yitzchak, IV, no. 56, and others). It stands to reason, however, that even if the garbage bin belongs to the municipality or the like, since the bin is open to all, and whoever wishes may remove from it what he likes, whatever is placed within it should be regarded as renounced property. This is the position of Rav Elyashiv (as reported by Rav Zilberstein). He who wishes to be stringent, especially in a place where there is concern that Jews might remove the chametz from the bin, should douse the chametz with soap or some other agent that makes it inedible, and then throw it into the garbage. See below.

The Chazon Ish (Orach Chayyim 118, 3; 116, 16) writes that if one performs bi'ur chametz after the sixth hour – one should douse it with soap or some other agent that makes it unfit

even for animal consumption (for chametz that is flushed down the toilet is still fit for animal consumption). If, however, one performs the bi'ur before the sixth hour (as one is supposed to do), it suffices to flush it down the toilet, for in that way it becomes unfit for human consumption. Nevertheless, it is a good idea to crumble the chametz before throwing it into the toilet, so as not to cause an obstruction in the pipes.

[17] A third solution, one that we did mention in the text, is to fulfill the obligation of lechem mishne with cooked matza. This solution is brought in the Magen Avraham (444, no. 2) and in the Shulchan Arukh ha-Rav (444:4), and even Rav Ovadia Yosef (Responsa Yechave Da'at, I, no. 91; Responsa Yabi'a Omer, VI, no. 39) recommends its use. He suggests that a person fulfill his obligation of lechem mishne with a piece of cooked matza larger than an olive. For this, one should take a piece of matza before Shabbat, put it into a pot of boiling soup, remove the pot immediately from the fire, wait until the soup cools down a little, and remove the matza whole. This solution is certainly effective for the Friday night meal, for according to the basic law, even regular matza is permitted (though the Iggerot Moshe [Orach Chayyim, I, no. 155] writes that is preferable not to eat matza even on the night of the fourteenth). Rav Ovadia suggests using this solution also on Shabbat morning, and also at se'uda shelishit. There are, however, those who write that we are not accustomed to eat cooked matza on the fourteenth of Nisan (see Sha'ar ha-Tziyun 444, no. 1). The Mishna Berura (471, no. 20) implies that one is permitted to eat cooked matza on the fourteenth of Nisan before the tenth hour. The Maharsham (in Da'at Torah) writes that only if the matza was cooked before the fourteenth of Nisan may it be eaten on Erev Pesach, for if it is already cooked on the morning of the fourteenth, the prohibition to eat matza on Erev Pesach has no opportunity to apply to it.

We should also mention the solution proposed by Rav Betzael Zolti, chief rabbi of Jerusalem, to bake matza not for the sake of the mitzva, and eat it at the Shabbat meals. (In a time of great need, this practice is also permitted by Responsa Yechave Da'at, III, no. 26, and by Responsa Az Nidbaru, XI, no. 37). The reasoning: Since one cannot fulfill one's obligation on the night of the seder with such matzot, there is no prohibition to eat them on Erev Pesach. He bases his position on the Gemara in Pesachim 40a, which states that one is permitted to eat the dough of non-Jews on Erev Pesach. That Gemara may, however, be understood differently (see Meiri, Pesachim 99a, and others). Rav Zolti's position seems to depend on the question whether the prohibition of eating matza on Erev Pesach is because a person is forbidden to eat matza with which he can fulfill his obligation at the seder, or because he is forbidden to taste matza on Erev Pesach, so that matza will be dear to him that night. Matza that was baked not for the sake of the mitzva cannot be used to fulfill a person's obligation, but it has the taste of matza. It is also possible that matza that was guarded against leavening is regarded as matza shemura, even if it was baked not for the sake of the mitzva (see Responsa Minchat Yitzchak, VIII, no. 37, who forbids the practice, and Teshuvot ve-Hanhagot, II, 211, 23, and Responsa Lehorot Natan, IV, no. 40).

(Translated by David Strauss)